

JOURNAL
OF
THE SENATE

OF THE
STATE OF ALABAMA,
SESSION OF 1907.

HELD IN THE CITY OF MONTGOMERY,
COMMENCING

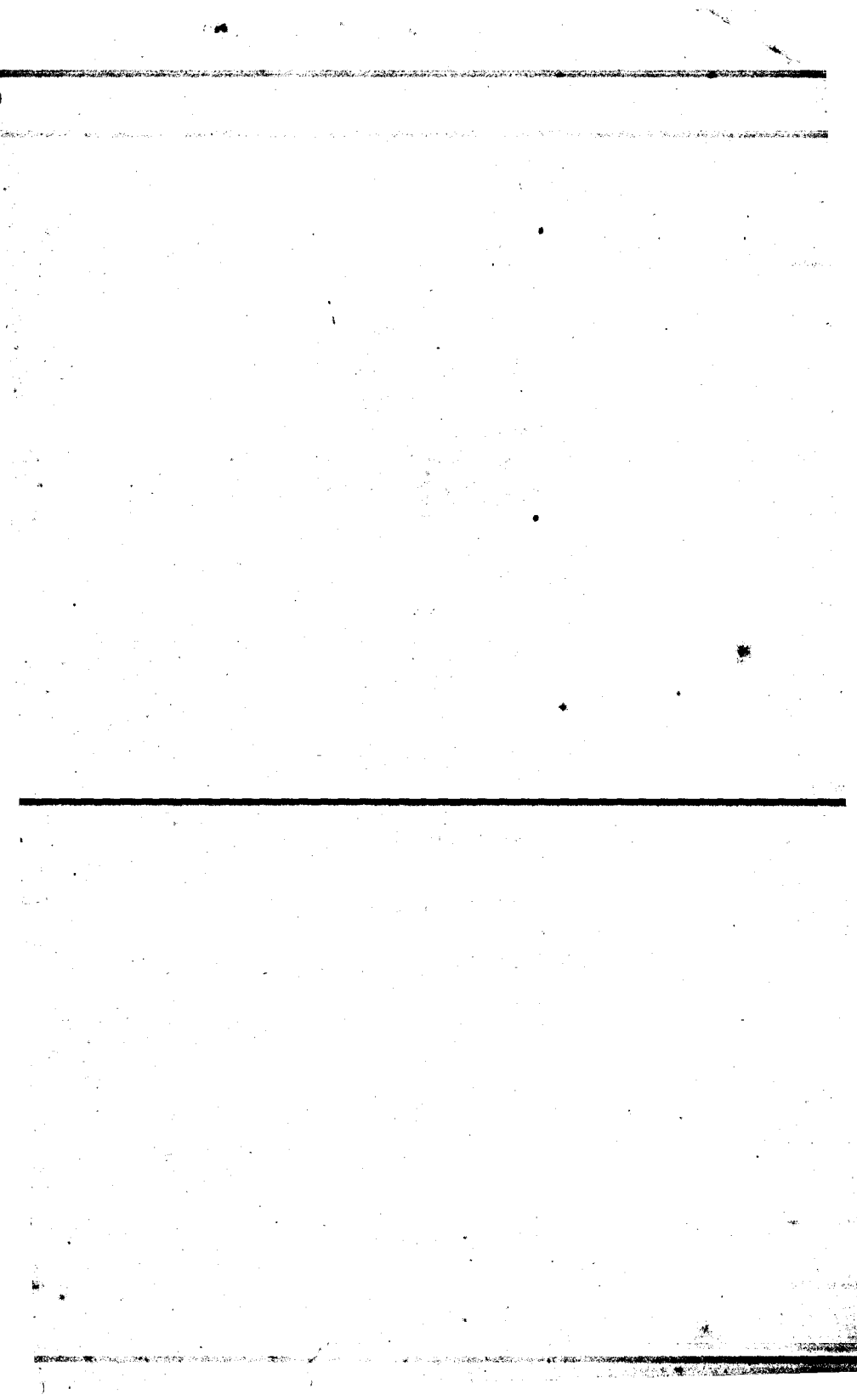
TUESDAY, JANUARY 8, 1907.

VOL. II.

WITH AN INDEX PREPARED BY
THE SECRETARY OF THE SENATE.



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JOURNAL
OF
THE SENATE
OF
ALABAMA

VOL. II.

THIRTY THIRD DAY.

Thursday, February 28th, 1907.

The Senate met pursuant to adjournment.
Prayer by Rev. Dr. Emmerson, of Birmingham.

ROLL CALL.

Mr President, and
Mr. President, and
Messrs :

Barbour	Hamburger	Lowe	Reynolds
Bayles	Hamner	Lusk	Spragins
Blackmon	Hayes	Merritt	Strother
Davis	Heacock	Miller	Teasley
Doster	Hinson	Moody	Thomas
Forrester	Horton	McWhorter	White
Gardner	Jones	Overton	Wilson
Glenn	King	Reese	Wimberly
Gunn	Leith	Reid	

JOURNAL.

On motion of Mr. Leith the reading of the Journal of yesterday was dispensed with and the same was approved.

PRIVILEGES OF THE FLOOR.

The privileges of the floor were extended to Messrs. J. J. Kaufman, Jno. B. Shields, E. J. Garrison and A. A. Evans.

INTRODUCTION OF BILLS.

On a call of the districts, bills were introduced, read ~~one time and~~ referred to appropriate standing committees as follows:

Mr. Hinson:

S. 375. To repeal an act entitled an act to incorporate the town of Hayneville.

Local Legislation.

With notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that application will be made to the legislature for the repeal of the local act incorporating the town of Hayneville, and for the repeal of all acts relating thereto.

W. P. Russell.

The State of Alabama, }
Lowndes County. }

Before me, J. C. Wood, judge of probate in and for said State and county personally appeared Mrs. Estelle Garrett, who being duly sworn, says on oath that she is the publisher and proprietor of "The Citizen-Examiner" a weekly newspaper published in said State and county

and that the notice attached to this affidavit appeared in the said Citizen-Examiner for four consecutive weeks from to-wit the 10th day of January 1907, until the 31st day of January, 1907.

Mrs. Estelle Garrett.

Subscribed and sworn to before me this the 26th day of February, 1907.

J. C. Wood,
Judge of Probate court, Lowndes Co., Ala.

Mr. Heacock:

S. 376. To amend sections 1, 6, 7, 18 and 23 of an act approved Feb. 10th, 1899, entitled an act for the relief of needy confederate soldiers and sailors, resident citizens of Alabama, and their widows.

Finance and Taxation.

Mr. Blackmon:

S. 377. To exempt members of the volunteer fire companies, in incorporated towns and cities from military and jury duties and from the payment of poll and street taxes, and to provide for their incorporation.

Military.

REPORTS OF COMMITTEES.

Mr. Lusk, chairman of the standing committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report.

(With amendment):

S. 366. To amend sections two and five of an act entitled an act to provide for the recovery to the State of lands not legally patented, and to settle disputed titles, approved February 23rd, 1899.

Also,

S. 371. To amend section 4 (section 398) of an act entitled an act to amend sections 382, 383, 384 and 398 of the code of Alabama.

Also,

H. 612. To amend an act entitled an act to regulate the collection of the poll taxes in the State of Alabama approved Feb. 12th, 1903.

Also,

(With amendment):

H. 763. To provide for a joint committee of the Senate and the house to sit during the recess of the legislature to prepare a general municipal bill.

Also,

H. 490. To further regulate elections in cities and towns of the State of Alabama.

~~Mr. Bayles, chairman of the standing committee on Revision of Laws, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report.~~

(With substitute):

S. 169. To amend section 4417 of the code of Alabama.

Also,

S. 51. To provide that all bonds or contracts of surety, guaranty or indemnity made or entered into by any foreign corporation to secure the performance of any act or contract to be performed in this State shall be governed by the laws of this State.

Also,

S. 60. To regulate and fix the status of surety, guaranty and indemnity bonds in cases of deviation and departure from and alterations of the contract or obligation secured by such bonds.

Also,

S. 295. To legalize and make effective the registration of deeds of conveyance, heretofore filed and recorded in the office of the judge of probate of the proper county in this State, and of deeds of conveyance heretofore executed, which may be so filed and recorded within two years after the approval of this act.

Also,

S. 364. To amend sections one (1) and two (2) of an act entitled an act to confer additional rights and pow-

ers, including the right to acquire by purchase, or by condemnation lands and easements, upon corporations organized under the general laws, or heretofore under a special act of the general assembly of the State of Alabama and upon corporations organized under the laws of any other State of the United States, and which corporations have complied with the laws of Alabama in reference to foreign corporations, and which have the right by their charter to manufacture, supply and sell power produced by water as a motive force, approved October 1st, 1903, and to add sections 8 1-2 and 9 1-2 to said act, defining the duties of said corporation to the public.

Also,

S. 147. To regulate and define the liability on surety, guaranty and indemnity bonds in cases of alteration or, deviation from or failure to carry out any of the terms or requirements of such bonds.

Also,

S. 148. To amend section 4590 of the code of Alabama of 1896.

Also,

H. 117. To amend section 2226 of the code of Alabama.

Mr. Miller, chairman of the standing committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:

H. 712. To fix and provide for the salaries of the judges of the criminal court of Jefferson county.

Also,

H. 792. To fix and provide for the salaries of the judges of the city court of Birmingham.

Also,

H. 788. To make further provisions for defraying the expenses of the legislature.

Also,

H. 818. To appropriate funds to be expended by the State board of health for the protection and promotion of the health of the people of the State.

Also, (with amendment) :

H. 668. To provide for the participation of the State of Alabama in the Jamestown exposition to be held on and near the waters of Hampton Roads in the State of Virginia, in the year nineteen hundred and seven, in commemoration of the first permanent settlement made in the United States, by English speaking people, in the year sixteen hundred and seven.

Also,

H. 614. To make subject to taxation in this State money lent, solvent creditors and credits of value and moneyed capital.

Also, (with amendment) :

H. 483. To create an additional judge for the tenth judicial circuit of Alabama, and to provide for his election, ~~jurisdiction powers authority and qualification, to render him liable to the pains and penalties of the other judges, and to provide for the salaries of the judges of said circuit to provide how the judges sitting in said circuit court in Jefferson county may hold court, and to regulate the holding of the circuit court in said county in the tenth circuit the establishment of rules of procedure and practice therein, and the summoning empannelling and swearing of jurors to serve in said court in said county and to secure suitable furniture and supplies thereof for said court in said county and the clerk thereof.~~

Also,

H. 237. To establish a normal school for education of white male and female teachers at Daphne, in Baldwin county, Alabama.

Also,

H. 667. For the relief of Mary A. Pope, widow of an ex-confederate soldier being a resident of Marion county, Alabama.

Also,

H. 811. To provide for the payment of expenses incurred by the doorkeeper of the House and doorkeeper of the Senate.

Also,

H. 623. To amend section 2584 of the code of 1896.

Also,

H. 611. To further provide for the revenue of the State, by requiring all foreign corporations authorized to do business in this State under the laws of the State of Alabama, to pay an annual franchise tax.

Mr. Merritt, chairman of the standing committee on Local Legislation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report.

S. 356. To repeal an act entitled an act in relation to trials of misdemeanors in Fayette county, Alabama approved December 13, 1900.

Also,

S. 370. To authorize the commissioners court of Conecuh county to divide said county into road precincts and to appoint road overseers to have supervision of the public roads in said county, and to direct and prescribe the duties of said overseers and the duties of road apportioners in said county, and to provide for and define the duties of said overseers and apportioners and to authorize the commissioners court of Conecuh county to purchase for said county the necessary teams, tools road machines, implements and plows to be used for constructing, repairing working and improving the public roads in said county and to provide for the construction and improvement of the public roads of Conecuh county and to prescribe who shall work on the public roads in Conecuh county and to provide for a road tax in lieu of work on the public roads of Conecuh county and to provide for the appropriation of funds by the commissioners court of Conecuh county, for the construction, repairing working and improving the public roads in said Conecuh county, to prevent the obstruction of and damage to the public roads of Conecuh county and to prescribe punishment for obstructing or damaging the public roads in Conecuh county.

Also,

S. 196. To provide for the election of only one justice of the peace in precincts 1, 2, 3, 4, 5, 6 and 7 in the city and county of Montgomery.

Also,

S. 322. To amend sections 1 and 6 of an act entitled an act to incorporate the town of Marion, in Perry county, as a separate public school district approved February 5, 1877.

Also,

H. 750. To amend an act, entitled an act, to amend an act, approved February 15th, 1899, entitled an act to amend section 908 of the code of 1896, and to fix the time of holding the circuit court in the 10th circuit of Alabama, composed of the counties of Winston, Walker and Jefferson, approved December 13th, 1900, in so far as said act relates to time of holding the circuit court for Jefferson county.

Also,

~~H. 545. Authorizing the transfer of any civil cause pending in the city court of Bessemer in the county of Jefferson, in the State of Alabama, to the circuit court of Jefferson county in said State, or to the city court of Birmingham, in said State, or to any other court of competent jurisdiction, sitting in the city of Birmingham, approved September 26th, 1903.~~

Also,

H. 546. Authorizing the transfer of any civil cause now pending in the circuit court of Jefferson county, in the State of Alabama, in the city court of Birmingham in said State, or in the chancery court of said county, back to the city court of Bessemer in said county, in all cases where the cause has been removed from said city court of Bessemer to said circuit city or chancery court by and at the instance of the defendant.

Also,

S. 348. To authorize cities and towns to hire or lease all persons convicted for violating ordinances thereof who are sentenced to perform hard labor.

Also,

H. 715. To authorize the court of county commissioners or board of revenue of any county authorized to levy a special tax for working the public roads to transfer to the road fund any surplus of general county funds in the county treasury.

Also,

H. 384. To repeal an act entitled an act to incorporate the Trullum Club approved March 2, 1901.

Also,

H. 71. To protect purchasers and dealers from fraudulent short weight in the purchase and sale of cotton seed, wheat, shelled corn in the ear, corn in the shucks, peas, rye, oats, barley and beans in packages, barrels, sacks or other coverings.

Also,

H. 491. To fix and provide for the salaries of city officers in the cities of the State of Alabama, having a population of over twenty-five thousand inhabitants.

Also,

H. 538. To provide for the election of four commissioners of Fayette county, Alabama by the qualified electors of said county.

Also,

H. 670. To provide for and regulate the working of the public roads in Lee county, Alabama.

Also,

H. 639. To amend section 2 of an act entitled an act to establish a charter for the town of Ashland, Clay county, Alabama.

Also,

H. 806. To better provide for the maintaining, working and repairing the public roads of Henry county, Alabama.

Also,

H. 689. To fix the terms of the circuit court of Madison county and to dispose with grand juries in said county, except when specially ordered by the judge.

Also,

H. 460. To repeal an act, approved December 6th, 1900, entitled an act to make all fines and forfeitures in Dale county, Alabama payable only in lawful money of the United States.

Also,

H. 688. To create the office of county solicitor for Madison county, and to prescribe his duties and powers, and to fix his compensation or salary and to provide for his appointment and election.

Also,

H. 728. To repeal an act in so far as it relates to Washington county, approved December 13th, 1894, entitled an act to repeal section 4 of an act to prescribe the manner of electing county commissioners of Pike, Bullock, Washington, Baldwin, Butler, Choctaw, Shelby, DeKalb and Pickens counties approved January 30th, 1893, and to prescribe the manner of electing the commissioners in said counties.

Also,

H. 708. To authorize the court of county commissioners of Walker county Alabama, to borrow money and pay interest thereon.

~~Mr. White, chairman of the standing committee on County and County Boundaries, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:~~

H. 731. To detach and take a portion of the county of Conecuh county and attach and add the same to Escambia county.

Mr. McWhorter, chairman of the standing committee on Temperance, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:

H. 709. To authorize the town of Haleysville in Winston county, to establish and operate a dispensary for the purpose of buying and selling spirituous, vinous and malt liquors within its corporate limits, and to provide for the distribution of certain profits arising therefrom, and to further regulate or prohibit the sale of such liquors within said town.

Also,

H. 574. To establish a dispensary in and for the town of Clanton in the county of Chilton, State of Alabama, and to provide for the conduct and regulation of the same.

Also,

H. 718. For the relief of the dispensary of the town of Gordon, Houston county, Alabama, whereas, the dispensary in the town of Gordon, Houston county, Alabama, did pay to the State of Alabama, \$250.00 for the year 1906, as a license to sell spirituous, vinous and malt liquors in said town, and whereas, the law under which said dispensary was run was held and declared unconstitutional by the circuit court of Houston county, Alabama, after the taking out and paying for said license, and prior to the 20th day of January, 1906; and the commissioners who were running and operating said dispensary were ousted by said court, and ordered to desist by said court from further running or operating of said dispensary; and said commissioners, in obedience to said order ceased to run said dispensary any longer, or to sell spirituous, vinous or malt liquors under the said license any longer.

Mr. Merritt, chairman of the standing committee on Local Legislation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report:

S. 372. (With substitute). To establish police commissions in cities of 35,000 population, in counties of 100,000; or more, population, and to define their terms of office, duties and powers.

Mr. Reid, chairman of the standing committee on Immigration and Industrial Resources, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report:

H. 330. (With amendment.) To establish an Immigration Board for the State of Alabama, to define its duties, to appropriate money to pay the expenses for carrying out its provisions, to provide for the appointment of an Immigration Commissioner, to define his duties, and to fix his compensation.

Mr. McWhorter, chairman of the standing committee on Temperance, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report:

H. 373. To provide for an election by the qualified electors of Tuscaloosa county to determine whether the sale, barter, exchange giving away or otherwise disposing of vinous, spirituous or malt liquors intoxicating beverages, bitters and proprietary medicines shall be wholly prohibited in said county, and if a majority of said electors shall vote in favor of prohibition to prohibit the sale, barter, exchange, giving away, lending, delivering or otherwise disposing of spirituous, vinous or malt liquors, intoxicating beverages, bitters and proprietary medicines and to prohibit the shipping into ~~said county by any common carrier and the bringing into said county by any person for the use of any other person than himself, any such spirituous, vinous or~~ malt liquors intoxicating beverages bitters or proprietary medicines from any place within this State, and to prohibit the taking or soliciting of orders for spirituous, vinous or malt liquors, intoxicating beverages bitters or proprietary medicines in said county, and to prohibit the giving of orders for spirituous vinous or malt liquors intoxicating beverages bitters or proprietary medicines by any person in said county over any telegraph or telephone line, and to provide penalties for all such prohibited acts.

The foregoing bills contained in said committee reports were severally read a second time and placed on the calendar.

SPECIAL ORDERS SET.

On motion of Mr. Bayles;

H. 237. To establish a normal school for education of white male and female teachers at Daphne in Baldwin county, Alabama.

Was made a special order for Friday, March 1st, 1907, at 11 o'clock a. m.

On motion of Mr. Miller :

S. 358. To provide for the extension of the corporate limits of cities and towns having one thousand inhabitants or more, and fixing the rights, powers, duties, liabilities and jurisdictions of the city or town over the territory brought into the corporate limits, and the rights of the inhabitants thereof, and to provide for the apportionment between the city or town and county of the road and bridge tax collected by the county or the property within the city, and the expenditure of the funds by the city.

Was made a special order for this afternoon immediately after the call for local bills is finished.

On motion of Mr. Reynolds :

H. 30. To define who are delinquent children and to provide for their arrest, care and reformation.

Was made a special order for Friday, March 1, 1907, at 11:30 o'clock, a. m.

REPORT FROM COMMITTEE ON ENGROSSED BILLS.

Mr. Spragins, from the committee on Engrossed Bills made the following report :

The committee on Engrossed Bills report that they have examined Senate bills numbered 123, 150, and compared them with the original bills respectively and found to be correct.

February 26th, 1907.

Robert E. Spragins, Chairman.

NOTICE.

Mr. McWhorter gave to the Senate the following notice relating to an epileptic colony.

Notice is hereby given that a motion will, on tomorrow, be made to take Senate bill No. 61 from the adverse calendar and place it upon the calendar of the Senate.

February 28th, 1907.

Geo. T. McWhorter.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has received the accompanying message from his excellency, the governor, proposing an amendment to the bill, House bill 24, "To make appropriations for the support and maintenance of the public schools of the State," said amendment as proposed by the governor being in lieu thereof the following section:

"Section 2. The further sum of three hundred thousand dollars is hereby appropriated from and out of any money in the treasury not otherwise appropriated for the support and maintenance of the public schools of the State for the scholastic year 1907-1908; and the sum of three hundred and fifty thousand dollars is hereby appropriated from and out of any money in the treasury not otherwise appropriated for the support and maintenance of the public schools of the State for the scholastic year 1908-1909 and for each scholastic year thereafter."

And the House has adopted and concurred in the amendment proposed by the governor to the bill, H. 24, by a majority vote of the whole House, the vote on said amendment being: Yeas, 56; nays, 1.

And the House herewith sends the bill, H. 24, together with the message from the governor to the Senate for its consideration.

Cyrus B. Brown,
Clerk.

GOVERNOR'S MESSAGE.

On motion of Mr. Lusk, the Senate adopted and concurred in the amendments to House bill No. 24. The title to which, and the amendments proposed by the governor, is set out in the foregoing message from the House.

Yeas, 20; nays, 8.

Yeas :

Messrs :

Bayles	Hinson	Lusk	Overton
Glenn	Horton	Merritt	Reid
Gunn	Jones	Miller	Reynolds
Hayes	Leith	Moody	Spragins
Heacock	Lowe	McWhorter	Strother

—20.

Nays :

Messrs :

Barbour	Davis	King	White
Blackmon	Doster	Teasley	Wimberly

—8.

Which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE.

Mr. President :

The House has amended, as therein shown, and as amended, has passed the following Senate bill :

S. 142. For the government of juvenile delinquents in the county of Mobile, Alabama.

And returns the same herewith to the Senate.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Hamburger, the Senate concurred in the following amendment by the House to Senate bill No. 142, the title of which appears in the foregoing message from the House, to-wit :

Section 8. The judges of the inferior criminal court, the probate court and the recorder of the city of Mobile, shall jointly appoint a discrete person of good moral character, to serve as probation officer. In the event of the death, sickness or inability of the officer to serve for more than ten days, said judges may appoint a probation officer pro tem who shall serve until said officer's

incapacity is removed, when the office shall again be filled by the return to duty of the incumbent or the election in case of death or resignation of a permanent officer by the judges aforesaid. In the event of a disagreement between said judges as to such appointment a majority vote of the three judges shall prevail. The probation officer herein provided for shall receive a salary of \$60.00 sixty dollars per month to be paid out of the county treasury of Mobile county, Alabama, and the treasurer of said county shall draw his warrant monthly in favor of such officer. It shall be the duty of the clerk of each of the above named courts to notify at once, when information is filed against a child under the provisions of this act, the probation officer when said child is to be brought before the court, and it shall be the duty of the probation officer to investigate the case, to be present in the court to represent the interests of the child when the case is heard; to furnish to the court such information and assistance as the court or judge may require, and to take charge of any child before and after the trial as may be directed by the court. The probation officer is hereby vested with all the power and authority of sheriffs and police officer of the city and county of Mobile, Alabama, to make arrests and perform the other duties incident to their office.

Which was adopted.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Hamburger	Lusk	Reynolds
Bayles	Hayes	Miller	Spragins
Davis	Heacock	Moody	Strother
Doster	Hinson	McWhorter	Teasley
Forrester	Horton	Overton	White
Glenn	Leith	Reid	Wimberly
Gunn	Lowe		

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended, by way of a substitute, as therein shown, and as amended has passed, the following Senate bill:

S. 1. To amend section 4 of an act: To provide for subordinate employees of the Legislature.

And returns the same herewith to the Senate.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Lusk, the Senate concurred in the House amendment to Senate bill No. 1, the title to which is set out in the foregoing message from the House, said amendment being as follows:

Amend the substitute reported by the committee on Revision of Laws as follows:

Strike out the following paragraph:

"That the employees of the House of Representatives shall be elected or selected or employed as may be determined by the House of Representatives by resolution adopted by the House of Representatives after its permanent organization."

And insert in lieu thereof the following: The door-keeper of the gallery, reading clerk, pages and messengers of the House shall be appointed by the Speaker. The servants of the House shall be selected by the door-keeper of the House with the approval of the Speaker. The clerical assistants to the clerk of the House and the engrossing and enrolling clerks of the House shall be selected by them, respectively, with the approval of the Speaker; and the House shall provide by rule or resolution the manner of selecting committee clerks.

Substitute for S. B. No. 1 as reported by the committee on Revision of Laws of the House:

A BILL

To be entitled an act to amend section 4 of an act to provide for subordinate employees of the Legislature.

Section 1. Be it enacted by the Legislature of Alabama, That section 4 of an act to provide for subordinate employees of the Legislature approved Jan. 26th, 1903, be and the same is hereby amended so as to read as follows:

Section 4. That the employees of the Senate shall be elected or selected or employed as may be determined by the Senate by resolution adopted by the Senate after its permanent organization. That the employees of the House of Representatives shall be elected or selected or employed as may be determined by the House of Representatives by resolution adopted by the House of Representatives after its permanent organization.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Bayles	Heacock	Moody	Reynolds
Doster	Hinson	McWhorter	Strother
Glenn	Horton	Overton	Thomas
Gunn	Lusk	Reese	White
Hamburger	Merritt	Reid	Wimberly
Hayes	Miller		

—22.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bills and ordered same sent forthwith to the Senate without engrossment:

H. 846. To authorize the commissioners' court of Conecuh county to divide said county into road precincts and to appoint road overseers to have supervision of the public roads in said county, and to direct and prescribe the duties of said overseers and the duties of

road apportioners in said county, and to provide for and define the duties of said overseers and apportioners and to authorize the commissioners' court of Conecuh county to purchase for said county the necessary teams, tools, road machines, implements and plows to be used for constructing, repairing, working and improving the public roads in said county and to provide for the construction and improvement of the public roads of Conecuh county, and to prescribe who shall work on the public roads in Conecuh county, and to provide for a road tax in lieu of work on the public roads of Conecuh county, and to provide for the appropriation of funds by the commissioners' court of Conecuh county for the construction, repairing, working and improving the public roads in said Conecuh county; to prevent the obstruction of and damage to the public roads of Conecuh county and to prescribe punishment for obstructing or damaging the public roads in Conecuh county.

Public Roads and Highways.

And sends the same herewith to the Senate with notice and proof of publication attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given of the intention to apply to the Legislature of Alabama for the passage and enactment of a special law providing for the construction, building, repairing and maintaining of the public roads of Conecuh county, Alabama, and providing for the appropriation of funds therefor.

F. J. Dean,

Judge of Probate.

The State of Alabama, }
Conecuh County. }

Before me, F. J. Dean, judge of probate in and for said State and county, personally appeared George W. Salter, Jr., who on oath doth say that he is the editor and publisher of the Evergreen Courant, a newspaper published in the town of Evergreen, county of Conecuh, State of Alabama, and that the foregoing notice has

been published every week for four consecutive weeks in said newspaper, prior to this date and in the year 1907.

Geo. W. Salter, Jr.

Sworn to and subscribed before me this the 22 day of February, 1907.

F. J. Dean,
Judge of Probate.

H. 619. To repeal an act entitled an act, to prohibit the sale or giving away of alcoholic, spirituous, vinous or malt liquors within six miles of Nances Creek Methodist church in Calhoun county, Alabama, or within the limits of precinct twelve, Coffee county; or within the limits of Carpenter's precinct in Jackson county; or within four miles of Mt. Nebo church in precinct ~~twenty-seven~~; Thompson's Camp Grounds or Holy Tree in Bishop's precinct, ~~all within the county of Jackson,~~ or within four miles of the public school building in the city of Bridgeport, in the county of Jackson, or within three miles of Weeping Mary church in beat eight, Lee county; or within three miles of Friendship Baptist church in Crenshaw county; or within three miles of Zada church, Rama church, Union Hill church, precinct two, Henry county; or within two miles of Mary Baptist church, precinct or beat fourteen, in Tallapoosa county; or within five miles of Pleasant Grove Baptist church in precinct nine, in Henry county; or within township twenty, range twenty-three in Tallapoosa county; or within four miles of Liberty Baptist church and Young's Chapel Methodist church, Etowah county; or within two miles of Green Hill church, and school house of Green Hill in Lauderdale county; or within Ashville beat, No. 1, in St. Clair county; or within three miles of Pierce's Chapel M. E. church, beat 7, Lee county; or within two miles of Clintonville academy in Coffee county; or within three miles of White Oak M. E. church, beat 5, in Barbour county; or within three miles of Cave Springs Baptist church, beat 11, in Etowah county; or within three miles of Marvin Chapel church in Pickens county; or within beat nine, in Limestone county; all of the within places are within the State of

Alabama, and within five miles of Smith's Chapel, Jackson county; or within the corporate limits of the town of Guin, in Marion county; or within five miles of Canaan church and Woodlawn church, in Lauderdale county; and to repeal all laws heretofore passed prohibiting the sale, giving away or otherwise disposing of alcoholic, vinous or malt liquors, or other intoxicating drinks or beverages, or fruits preserved in alcoholic liquors within five miles of Pierce Chapel Methodist church in beat 7, Lee county, so far as said laws relate to the territory within five miles of Pierce Chapel Methodist church, passed by the General Assembly of Alabama of 1892-1893, and approved on the 21st day of February, 1893, in so far as the same relates to the prohibition of the sale or giving away of alcoholic, spirituous, vinous or malt liquors, within three miles of Zada church, Rama church and Union Hill church, in Houston county, Alabama."

And sends same herewith to the Senate with notice and proof of publication attached and herewith exhibited as follows:

Notice is hereby given that application will be made to the next Legislature to pass the following law, to-wit:

A BILL

To be entitled,

An act, to repeal an act entitled an act, to prohibit the sale or giving away of alcoholic, spirituous, vinous or malt liquors within six miles of Nances Creek Methodist church in Calhoun county, Alabama, or within the limits of precinct twelve, Coffee county; or within the limits of Carpenter's precinct in Jackson county; or within four miles of Mt. Nebo church in precinct twenty-seven; Thompson's Camp Grounds or Holy Tree in Bishop's precinct, all within the county of Jackson, or within four miles of the public school building in the city of Bridgeport, in the county of Jackson, or within three miles of Weeping Mary church in beat eight, Lee county; or within three miles of Friendship Baptist church in Crenshaw county; or within three miles of

Zada church, Rama church, Union Hill church, precinct two, Henry county; or within two miles of Mary Baptist church, precinct or beat fourteen, in Tallapoosa county; or within five miles of Pleasant Grove Baptist church in precinct nine, in Henry county; or within township twenty, range twenty-three in Tallapoosa county; or within four miles of Liberty Baptist church and Young's Chapel Methodist church, Etowah county; or within two miles of Green Hill church, and school house of Green Hill in Lauderdale county; or within Ashville beat, No. 1, in St. Clair county; or within three miles of Pierce's Chapel M. E. church, beat 7, Lee county; or within two miles of Clintonville academy in Coffee county; or within three miles of White Oak M. E. church, beat 5, in Barbour county; or within three miles of Cave Springs Baptist church, beat 11, in Etowah county; or within three miles of Marvin Chapel church in Pickens county; or within beat nine, in Limestone county; all of the within places are within the State of Alabama, and within five miles of Smith's Chapel, Jackson county; or within the corporate limits of the town of Guin, in Marion county; or within five miles of Canaan church and Woodlawn church, in Lauderdale county; and to repeal all laws heretofore passed prohibiting the sale, giving away or otherwise disposing of alcoholic, vinous or malt liquors, or other intoxicating drinks or beverages, or fruits preserved in alcoholic liquors within five miles of Pierce Chapel Methodist church in beat 7, Lee county, so far as said laws relate to the territory within five miles of Pierce Chapel Methodist church, passed by the General Assembly of Alabama of 1892-1893, and approved on the 21st day of February, 1893, in so far as the same relates to the prohibition of the sale or giving away of alcoholic, spirituous, vinous or malt liquors, within three miles of Zada church, Rama church and Union Hill church, in Houston county, Alabama."

Section 1. Be it enacted by the Legislature of Alabama, That an act entitled an act, 'to prohibit the sale or giving away of alcoholic, spirituous, vinous or malt liquors within six miles of Nances Creek Meth-

odist church in Calhoun county, Alabama, or within the limits of precinct twelve, Coffee county; or within the limits of Carpenter's precinct in Jackson county; or within four miles of Mt. Nebo church in precinct twenty-seven; Thompson's Camp Grounds or Holy Tree in Bishop's precinct, all within the county of Jackson, or within four miles of the public school building in the city of Bridgeport, in the county of Jackson, or within three miles of Weeping Mary church in beat eight, Lee county; or within three miles of Friendship Baptist church in Crenshaw county; or within three miles of Zada church, Rama church, Union Hill church, precinct two, Henry county; or within two miles of Mary Baptist church, precinct or beat fourteen, in Tallapoosa county; or within five miles of Pleasant Grove Baptist church in precinct nine, in Henry county; or within township twenty, range twenty-three in Tallapoosa county; or within four miles of Liberty Baptist church and Young's Chapel Methodist church, Etowah county; or within two miles of Green Hill church, and school house of Green Hill in Lauderdale county; or within Ashville beat, No. 1, in St. Clair county; or within three miles of Pierce's Chapel M. E. church, beat 7, Lee county; or within two miles of Clintonville academy in Coffee county; or within three miles of White Oak M. E. church, beat 5, in Barbour county; or within three miles of Cave Springs Baptist church, beat 11, in Etowah county; or within three miles of Marvin Chapel church in Pickens county; or within beat nine, in Limestone county; all of the within places are within the State of Alabama, and within five miles of Smith's Chapel, Jackson county; or within the corporate limits of the town of Guin, in Marion county; or within five miles of Canaan church and Woodlawn church, in Lauderdale county; and to repeal all laws heretofore passed prohibiting the sale, giving away or otherwise disposing of alcoholic, vinous or malt liquors, or other intoxicating drinks or beverages, or fruits preserved in alcoholic liquors within five miles of Pierce Chapel Methodist church in beat 7, Lee county, so far as said laws relate to the territory within five miles of Pierce Chapel Meth-

odist church, passed by the General Assembly of Alabama of 1892-1893, and approved on the 21st day of February, 1893, in so far as the same relates to the prohibition of the sale or giving away of alcoholic, spirituous, vinous or malt liquors, within three miles of Zada church, Rama church and Union Hill church, in Houston county, Alabama."

Section 2. That all laws and parts of laws in conflict with this law be, and the same is hereby repealed.

Section 3. That this law shall go into effect immediately upon its passage.

H. P. Calhoun,
Hiram Metcalf.

~~H. 799. To provide for the working, repairing, maintaining and improving the public roads of Pickens county, Alabama.~~

~~And sends same to the Senate with notice and proof of publication attached and herewith exhibited as follows, to-wit:~~

PROPOSED NEW ROAD LAW.

The following act will be introduced at the present session of the Legislature:

An act to provide for the working, repairing, maintaining and improving the public roads of Pickens county, Alabama:

Section 1. Be it enacted by the Legislature of the State of Alabama that, within thirty days after the passage and approval of this act, the commissioner's court of said county shall appoint one supervisor of public roads for each road precinct in said county, who shall be residents of the precinct over which appointed and shall continue in such office for the term of two years, or until their successors have been appointed and qualified. Provided that said commissioners' court may remove any of said supervisors on account of incompetency or failure to discharge their duties as such supervisors.

Be it further enacted,

Sec. 2. That said supervisors shall, immediately after notice of their appointment, qualify as such supervisors by taking the statutory oath of office and file the same in the office of the judge of probate of said county.

Sec. 3. That said supervisors after having qualified shall, without delay, appoint as many overseers of public roads, who shall be residents of the precincts in which appointed, as may be necessary to the proper working, repairing, improving and maintaining the public roads in their respective road precincts, who shall serve as such overseers for two years, or until their successors shall have been appointed and qualified; said overseers shall without delay, take and subscribe to the statutory oath of office before entering upon the discharge of their duties and file the same with the judge of probate of said county. The supervisors may administer such oath of office. Provided that any overseer may be removed by the supervisor on account of incompetency or failure to discharge the duties of overseers under this act.

Sec. 4. The supervisors shall have the control and direction of the working, repairing, maintaining and improving of the public roads in their respective precincts, and it shall be their duty to see that said roads are kept in good condition.

Sec. 5. The supervisors and overseers of their respective precincts shall constitute a board of enrollment and apportionment, of which board the supervisors shall be the chairman and who shall have the power to settle all questions on which the board may fail to agree.

Sec. 6. It shall be the duty of said board, as provided for in Sec. 5 of this act, without delay, to enroll the names of every male inhabitant of their respective precincts who are liable to public road duty and the location of such persons; and they shall at the same time make a complete list of all horses, mares, mules and oxen owned or controlled by any person subject to road duty in the precinct in which they reside, together with the names of the owner or persons having the control of any horses, mares, mules and oxen; and when such enrollment is complete the lists shall be filed with the supervisor.

Sec. 7. That said board of enrollment and apportionment after the lists provided for in section 6, of this act, have been filed, shall without delay make apportionment of the persons and stock as provided for in section 8 of this act, enrolled by them, or may thereafter be enrolled, among the several overseers as said board may determine.

Sec. 8. That all male inhabitants of said county over the age of 18 and under the age of 45 years, who are not physically disabled, and who may have a certificate to that effect from the medical board of said county, shall be subject to public road duty; that all horses, mares, mules and oxen owned or controlled by any person subject to road duty, is hereby made subject to such service on the public roads of said county as may be determined by the overseer, but for not more than one day in each year. Provided that there may be exempt to each regular minister of the gospel and to each regular practicing physician in said county one horse, mare or mule, as they may elect, from public road duty; under this act, and further provided that all students in actual attendance upon any of the public schools of the State shall be exempt from public road duty in said county while in such attendance.

Section 9. That any person subject to road duty under this act, who, after two days notice by the overseer to whom he has been apportioned, shall fail or refuse to perform any of the duties required of him by this act, shall be deemed guilty of a misdemeanor, and on conviction shall pay a fine of not less than \$2.50 nor more than \$10.00 for each day he fails or refuses to discharge his duties.

Section 10. That any person liable to road duty who owns and controls any horse, mare, mule or oxen, who shall fail to list any such horse, mare, mule, or oxen, when requested by the supervisor or overseer to do so, or who shall fail or refuse to furnish any horse, mare, mule or oxen at such time and place as he may be directed by his overseer shall be deemed guilty of a misdemeanor, and on conviction shall pay a fine of not less than \$3.00 nor more than \$10.00.

Section 11. That the said supervisors shall, within the first two days of each term of the circuit court of said county, make a report of the condition of the public roads in their respective precincts to the grand jury of said county; and he shall at the same time make report of any and all overseers who fail to discharge their duties as such.

Section 12. That it shall be the duty of every overseer, and he hereby is requested, within three days after having given notice as provided in this act, to report to any justice of the peace of said county, the names of all persons liable to road duty, who fail or refuse to discharge the duties required of them under this act.

Section 13. That any supervisor appointed under the provisions of this act who neglects fails or refuses to discharge his duty as such supervisor, shall be deemed guilty of a misdemeanor, and, on conviction shall pay a fine of not less than ten dollars nor more than fifty dollars.

Section 14. That any overseer appointed under the provisions of this act, who neglects, fails or refuses to perform the duties required of him as overseer shall be deemed guilty of a misdemeanor, and, on conviction, shall pay a fine of not less than ten dollars nor more than fifty dollars,

Section 15. That each supervisor and overseer, and all horses, mares, mules or oxen owned, or controlled by them, shall be exempt from road duty for such time as may be equal to the time served by them as such supervisors and overseers, and that all horses, mares, mules or oxen owned or controlled by them may be exempt from road duty during their term of office.

Section 16. That all fines and forfeitures collected under the provisions of this act shall be paid in current money of the United States of America, and shall be paid into the county treasury by the officers collecting the same.

Section 17. That it shall be the duty of every person liable to road duty under this act to perform ten days of actual labor and service on the public roads of said county for each and every year at such time, or times as

the overseers may direct; provided that in addition to the said ten days, the overseers shall warn and call out such force as may be necessary to repair any damage to the roads, caused by storms, floods or from any other cause that would interfere with safe travel.

Section 18. That the said county of Pickens shall be liable and shall pay all reasonable claims of any person for injury done to any horse, mare, mule or oxen under the provisions of this act.

Section 19. That the supervisor shall furnish each overseer with certificate of his appointment as overseer, the road section to which he has been assigned and a list of the persons and stock which have been apportioned to him.

~~Section 20. That the commissioner's court of said county be and hereby are authorized and empowered, under the provisions of this act, as they may determine to purchase and furnish to the overseers of said county, all such road tools and implements as may be considered by them necessary to improve the public roads of said county; provided that not more than two thousand dollars per annum shall be apportioned and expended by said court for such road improvement.~~

Section 21. That the general road law of the State embraced in the Code 1896, of Alabama, not in conflict with the provisions of this act shall remain in full force and effect and shall govern; and that all laws and parts of laws in conflict with the provisions of this act be and the same hereby are repealed.

Section 22. That the commissioners court of said county shall purchase and furnish such blanks and stationery as may be necessary to carry out the provisions of this act, and the said court shall also have this act printed in pamphlet form for the information of the courts and for the use of the supervisors and overseers of said county; and they shall also cause said act to be published for four consecutive weeks in some weekly newspaper published in said county.

Section 23. That it shall be the duty of the judge of the circuit court, sitting for said county, and he here-

by is required, to give in special charge this act to the grand jury at each term of said court.

H. 675. For the relief of D. F. Brannon of Mobile county.

C. B. Brown,
Clerk.

HOUSE MESSAGE.

The House bills in the foregoing House message were severally read once and referred to appropriate standing committees as follows:

H. 846, to Local Legislation.

H. 619, to Temperance.

H. 675, to Finance and Taxation.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the amendment proposed by the governor to the bill, S. 128, "To confer jurisdiction of all misdemeanors on the county court of Clarke county, and to define the jurisdiction of said court, to regulate the practice therein, to provide for a judge, solicitor and clerk of said court and to fix their compensation," by a majority of the whole House, the vote on said proposed amendment being: Yeas, 61; nays, 0.

And the House herewith returns the said bill, together with the governor's message to the Senate.

Cyrus B. Brown,
Clerk.

MESSAGE FROM THE GOVERNOR.

Montgomery, Alabama, 2-28, 1907.

To the Senate:

I herewith return Senate bill No. 48, entitled "an act to create the fifteenth judicial circuit for the State of Alabama, to be composed of the counties of Autauga, Chilton, Elmore and Montgomery; to confer equity jurisdiction on said court as to matters arising in Autauga, Elmore and Chilton counties, and to provide for reg-

isters in chancery therein; to provide for the appointment of a judge and solicitor for said court and for the removal of pending causes and the remanding of pending appeals to the new court; to regulate the convening of grand and petit juries in said circuit court and to authorize the judge of said circuit court to adopt reasonable rules of practice to facilitate the business of the court," and propose the following amendments:

Amend section 3 by inserting after the words "eighteen hundred dollars," the words "per annum."

B. B. Comer.

GOVERNOR'S MESSAGE.

On motion of Mr. Lusk, the Senate adopted and concurred in the amendment proposed by the governor to Senate bill No. 48, the title of which and the proposed amendment thereof, are set out in the foregoing message from the governor.

Yeas, 33; nays, 0.

Yeas:

Messrs:

Barbour	Hamburger	Leith	Reid
Bayles	Hamner	Lowe	Reynolds
Blackmon	Hayes	Lusk	Spragins
Davis	Heacock	Merritt	Strother
Doster	Hinson	Moody	Teasley
Forrester	Horton	McWhorter	Thomas
Gardner	Jones	Overton	White
Glenn	King	Reese	Wimberly.
Gunn			

—33.

Which was a majority of the whole number elected to the Senate.

TO TAKE FROM ADVERSE REPORT.

Mr. Leith, in accordance with his notice in writing made on a former day of the session, moved to take from an adverse report, Senate joint resolution No. 42, here-

tofore introduced by him and referred to the committee on Rules.

Said motion prevailed.

Yeas, 19; nays, 10.

Yeas:

Messrs:

Barbour	Glenn	Leith	Overton
Bayles	Gunn	Merritt	Thomas
Davis	Hamburger	Miller	White
Doster	Hayes	Moody	Wimberly
Forrester	Heacock	McWhorter	

—19.

Nays:

Messrs:

Blackmon	Horton	Lusk	Reynolds
Hamner	Jones	Reid	Spragins
Hinson	King		

—10.

And said resolution was put upon its immediate passage.

Mr. Hinson offered the following substitute for said resolution, to-wit:

Whereas, it has been charged in the press, and there is reason to believe, that certain corporations, particularly corporations manufacturing fertilizer, and corporations known as cotton-seed oil mills, have organized themselves for purposes unlawful and in violation of sections 5557 and 5558 of the Code of Alabama.

Be it resolved by the Senate of Alabama, That the attorney-general be, and he is hereby, directed to immediately commence investigation by communication with the various solicitors of this State, instructing them to commence immediate investigation, with a view of ascertaining whether said sections have or not been violated.

Be it further resolved, That it shall be the duty of the attorney-general to obtain a report from each solicitor, and to report in full to this Senate, within five days af-

ter the first day of the adjourned session of this Legislature, the result of his investigations.

Which was lost.

Yeas, 15; nays, 16.

Yeas:

Messrs:

Bayles	Hinson	Lusk	Spragins
Blackmon	Horton	Moody	Teasley
Glenn	Jones	Reid	Thomas
Heacock	King	Reynolds	

—15.

Nays:

Messrs:

Barbour	Glenn	Leith	Overton
Davis	Gunn	Lowe	Strother
Dexter	Hamner	Miller	White
Forrester	Hayes	McWhorter	Wimberly

—16.

Mr. Gunn offered the following amendment to the Leith resolution:

Amend by striking out paragraph four of resolution and insert in lieu thereof:

Be it resolved by the Senate and the House concurring, That a committee composed of the attorney-general, to be chairman, the commissioner of agriculture and industries, and the president of the board of convicts, to investigate said charges, and report their finding to the governor.

Amend by striking out the last paragraph.

And Mr. Blackmon moved to amend said amendment by adding thereto the name of the governor.

Mr. Leith moved to lay on the table the amendment offered by Mr. Blackmon to the amendment offered by Mr. Gunn.

Which motion prevailed.

Yeas, 22; nays, 7.

Yeas :

Messrs :

Barbour	Gunn	Moody	Spragins
Bayles	Hayes	McWhorter	Strother
Davis	Horton	Overton	Thomas
Doster	Leith	Reid	White
Forrester	Lusk	Reynolds	Wimberly
Glenn	Merritt		

—22.

Nays :

Messrs :

Blackmon	Heacock	Jones	Reese
Hamner	Hinson	King	

—7.

Mr. Leith moved to table the motion offered by Mr. Gunn.

Which motion prevailed.

Yeas, 16; nays, 14.

Yeas :

Messrs :

Barbour	Forrester	Merritt	Reynolds
Bayles	Hamburger	Miller	Strother
Davis	Heacock	McWhorter	White
Doster	Leith	Overton	Wimberly

—16.

Nays :

Messrs :

Glenn	Horton	Lusk	Reid
Gunn	Jones	Moody	Spragins
Hamner	King	Reese	Thomas
Hayes	Lowe		

—14.

Mr. Reese then moved to lay the resolution offered by Mr. Leith.

Which motion was lost.

Yeas, 12; nays, 18.

Yeas:

Messrs:

Davis	Horton	Lusk	Reid
Glenn	Jones	Moody	Reynolds
Hamner	King	Reese	Spragins

—12.

Nays:

Messrs:

Barbour	Gunn	Lowe	Overton
Bayles	Hayes	Merritt	Strother
Davis	Heacock	Miller	Thomas
Doster	Hinson	McWhorter	Wimberly
Forrester	Leith		

—18.

Mr. Thomas offered the following amendment to said resolution:

Amend by striking out paragraph four of the resolution and insert in lieu thereof:

Be it resolved by the Senate, and the House concurring, That a committee composed of the attorney-general, to be chairman, the commissioner of agriculture and industries, and the secretary of State, to investigate said charges and report their findings to the governor.

Further amend by striking out the last paragraph.

Which on motion of Mr. Leith was laid on the table.

Yeas, 17; nays, 15.

Yeas:

Messrs:

Barbour	Gunn	Lusk	Overton
Bayles	Hamburger	Merritt	Strother
Davis	Leith	Miller	White
Doster	Lowe	McWhorter	Wimberly
Forrester			

—17.

Nays:

Messrs:

Blackmon	Hayes	Jones	Spragins
Gardner	Heacock	King	Teasley
Glenn	Hinson	Moody	Thomas
Hamner	Horton	Reid	

—15.

Mr. Reynolds offered the following amendment:

Amend by inserting the words ten dollars per day where the words four dollars per day appear in the resolution.

Which was adopted.

Yeas, 21; nays, 9.

Yeas:

Messrs:

Barbour	Hayes	Lusk	Reid
Bayles	Horton	Merritt	Reynolds
Blackmon	Jones	Miller	Spragins
Davis	King	Moody	Strother
Glenn	Lowe	Overton	Wimberly
Gunn			

—21.

Nays:

Messrs:

Doster	Heacock	McWhorter	Thomas
Forrester	Leith	Teasley	White
Hamner			

—9.

Mr. Reynolds offered the following amendment:

"Amend by adding after the words 'before said committee' the words, 'and give evidence before said committee as to any matters of which he has knowledge as to the subject to be investigated.'"

Which was adopted.

Yeas, 23; nays, 2.

Yeas:

Messrs:

Blackmon	Hinson	Lusk	Strother
Glenn	Horton	Merritt	Teasley
Gunn	Jones	Moody	Thomas
Hamner	King	Overton	White
Hayes	Leith	Reynolds	Wimberly
Heacock	Lowe	Spragins	

—23.

Nays: Messrs. Barbour, Bayles—2.

Mr. Merritt offered the following amendment:

Amend by adding the following:

"Be it further resolved, that said committee shall not sit longer than 20 working days."

Which on motion of Mr. Leith was laid on the table.

Mr. Reese then moved to recommit said resolution to the Judiciary committee.

Pending the consideration of which,

RECESS.

The hour of 1 o'clock p. m. having arrived the Senate recessed until 3 o'clock this afternoon.

~~AFTERNOON SESSION.~~

The Senate reassembled at 3:30 o'clock p. m.

A quorum was present.

PRIVILEGES OF THE FLOOR.

Privileges of the floor were granted to Walter Moore and W. D. Riley.

UNFINISHED BUSINESS.

The unfinished business being the Senate joint resolution No. 42, offered by Mr. Leith, relative to appointing a commission to examine into charges on the sale of guano and fertilizer.

Mr. Overton made a motion to reconsider the vote by which the amendment offered by Mr. Reynolds to said resolution, said amendment being as follows, to-wit:

Amend by inserting the words ten dollars per day where the words four dollars per day appear in the resolution.

Which motion was carried.

Mr. Leith made a motion to table Mr. Reynolds' amendment, which motion was carried.

Mr. Reese made motion to recommit the resolution to the committee on Judiciary, and on motion of Mr. Leith said motion was laid on the table.

And said resolution as amended was adopted.

Yeas, 14; nays, 8.

Yeas:

Messrs:

Bayles	Leith	McWhorter	Strother
Davis	Merritt	Overton	White
Forrester	Miller	Reynolds	Wimberly
Gunn	Moody		

—14.

Nays:

Messrs:

Blackmon	Jones	Lowe	Reid
Hamner	King	Lusk	Spragins

—8.

REPORT FROM COMMITTEE ON ENROLLED BILLS.

Mr. Moody, from the committee on Enrolled Bills, made the following report:

Mr. President:

The committee on Enrolled Bills have examined and compared the following Senate bills:

S. 137. Providing that no license or taxes of any character shall be required by the State, county or municipality from the Central Alabama Fair Association, or from those who conduct business under contract with it on its grounds during the time its annual fair is actually in progress.

S. 185. To amend an act establishing the Blocton public school district in Bibb county, Alabama, approved February 28th, 1887.

S. 250. For the relief of W. A. Singleton and B. G. Singleton of Marengo county, Alabama, for the overpayment of money for the purchase of school lands in section 16, township 12, range 1, west.

S. 251. To prohibit the sale, delivery or other disposition of miner's oil or any materials or substitutes for

miner's oil, to be used in the mines of Jefferson county, Alabama, without the official brand, stamp, label or stencil of the inspector of miner's oil for Jefferson county, Alabama, being affixed or attached to the barrel, package, cask, or vessel in which the article sold, delivered or disposed of is contained at the time of the disposition or delivery, and to provide for and regulate the payment of fees to such inspector for affixing such official brand, stamp, label, or stencil and to regulate the charges and fees to be paid therefor.

S. 288. To continue and establish that certain subway, now in course of construction and completion, under authority of an ordinance of the city of Birmingham, Alabama, and extending underneath Twenty-sixth street, north, and Twenty-seventh street, north, in the city of Birmingham, Alabama, and between the western boundary line of said Twenty-sixth street, north, and the eastern boundary line of Twenty-seventh street, north, as a part of Fifth avenue in said city, in lieu of all that part of Fifth avenue as heretofore constituted and established lying over and above and outside of said subway, and between the said Twenty-sixth and Twenty-seventh streets, and which is abandoned and discontinued as a public street, or highway.

S. 289. Declining on the part of the State of Alabama to accept for the purpose of establishing an Industrial School for indigent white girls and young ladies of the State, that certain property in Marion, Perry county, Alabama, formerly known as Howard College, and now used and known as the Marion Military Institute.

S. 297. For the relief of J. M. Cobb and W. J. Taylor.

S. 302. To amend an act entitled an act to establish the city court of Bessemer, approved February 28th, 1901.

S. 315. To authorize the town of Dothan to establish, maintain, regulate and make efficient, a dispensary in the town of Dothan and to provide for the operation and carrying on of such dispensary by the said town of

Dothan and for a distribution of the net proceeds of the said dispensary.

And find them correctly enrolled. Feb. 28, 1907.

Frank S. Moody,
Chairman Com. on Enrolled Bills.

SIGNING OF BILLS.

The president of the Senate, in the presence of the Senate, immediately after the titles had been publicly read at length by the secretary, signed the above Senate bills, the titles of which are set out in the foregoing report from the committee on Enrolled Bills. The reading at length of said bills having been dispensed with, by a two-thirds vote of a quorum of the Senate present.

RESOLUTIONS.

Mr. Reese offered the following S. J. R. 54:

Be it resolved by the Senate, the House concurring, that the governor be and he is hereby requested and authorized and empowered to erase his signature from and to return to the Senate for further consideration the following Senate bill, to-wit: Senate bill No. 210, being a bill to provide for the appointment of a joint committee to read and revise the manuscript of the new Code prepared by Hon. James J. Mayfield, and to prescribe its powers and duties and to fix the compensation of the committee and clerk and provide for their pay and expenses.

Which was referred to the committee on Rules.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bills:

H. 615. To amend sections 1321 and 1322 of the Code of 1896.

And sends the same to the Senate.

H. 557. To amend an act, entitled an act, to amend an act entitled an act, to regulate the issue of garnishments and the proceedings thereon in the county of Morgan, approved Dec. 9, 1896, so that said act shall read as follows:

And sends the same to the Senate, with notice and proof attached and exhibited herewith as follows:

NOTICE.

To whom it may concern:

Notice is hereby given of the intention to introduce a bill in the Legislature of Alabama, (session of 1907), and apply for the passage of said bill, the purpose of said bill being:

To amend an act, entitled an act to amend an act entitled an act to regulate the issuance of garnishments and the proceedings thereon in the county of Morgan, approved Dec. 9, 1896.

The substance of said bill, to amend the above described act, will be as follows, to-wit:

Section 1. Before any writ of garnishment can be issued by any justice of the peace or notary public and ex-officio justice of the peace in the county of Morgan, the plaintiff or his agent or attorney must make affidavit before some officer authorized to administer oaths and file with the justice of the peace before whom suit is pending or the judgment was obtained an affidavit stating the amount due from defendant to plaintiff and that no part of the debt upon which the suit pending is founded or on which the judgment was obtained, and in aid of which the process of garnishment is sought is due or was contracted for spirituous, vinous or malt liquors; and that process of garnishment is believed to be necessary to obtain satisfaction of the debt upon which the suit pending is founded, or the judgment obtained against the defendant; and that the person, firm or corporation to be summoned as garnishee, is believed to be indebted to the defendant or defendants.

Section 2. In all garnishments before a justice of the peace or notary public and ex-officio justice of the peace,

the plaintiff shall not recover greater cost than his damages. And in no case shall the cost exceed two dollars, to be apportioned as follows: Justice cost, issuing summons and complaint, fifty cents; issuing writ of garnishment, twenty-five cents; issuing garnishment, affidavit and bond, twenty-five cents; constables' cost, serving summons and complaint, fifty cents; serving writ of garnishment, twenty-five cents; garnishee's cost for making answer twenty-five cents.

Sec. 3. Every violation of the provisions of the act by any justice of the peace, or notary public and ex-officio justice of the peace, a fine of fifty dollars shall be assessed against the justice of the peace or notary public and ex-officio justice of the peace, so offending.

Section 4. The provisions of said act shall not apply to contracts made before its passage.

Sec. 5. No writ of garnishment shall be issued in any case wherein the justice of the peace or notary public and ex-officio justice of the peace issuing the garnishment, has agreed with the plaintiff, his agent or attorney that the plaintiff will not be required to pay cost in the event that costs cannot be made out of the defendant or defendants.

Section 6. The provisions of said act shall only apply to the county of Morgan, in the State of Alabama.

Section 7. All laws and parts of laws in conflict with the provisions of said act shall be repealed by the passage of said act, but said act shall only apply to Morgan county, Alabama.

The State of Alabama, }
Morgan County. }

Before me, C. L. Price, a notary public in and for said State and county, this day personally appeared J. C. Orr, who being by me first duly sworn, deposes and says that he is the editor and publisher of the Morgan County Times, a newspaper published in the county of Morgan, and State of Alabama, and that the notice hereto attached to this affidavit and made a part thereof, was published in the Morgan County Times once a week for four consecutive weeks; that said notice ap-

peared in said paper on the first day of Jan., 1907, and was published once a week for four consecutive weeks thereafter, said notice being published in the Morgan County Times from the 1st day of Jan., 1907, to the 22nd day of Jan., 1907.

J. C. Orr.

Sworn to and subscribed before me this 25th day of Jan., 1907.

C. L. Price,
Notary Public.

H. 721. To amend section (1) one, of an act, "To amend section (2) two, (4) four, (5) five, (6) six, and (7) seven of an act entitled an act to establish a new charter for the city of Bessemer, Alabama," approved December the 13th, 1900, approved February 28th, 1901.

~~And sends the same to the Senate, with notice and proof attached and exhibited herewith as follows:~~

NOTICE

Is hereby given that the following bill will be introduced at the next session of the Legislature of Alabama. This December 14, 1906.

AN ACT

Entitled an act to amend section (1) one, of an act, "To amend section, two (2), four (4), five (5), six (6) and seven (7) of an an act entitled an act to establish a new charter for the city of Bessemer, Alabama, approved December 13th, 1900," approved Feb. 28th, 1901.

Section 1. Be it enacted by the Legislature of Alabama, That section one (1) of an act entitled an act to amend sections two, four, five, six and seven of an act entitled an act to establish a new charter for the city of Bessemer, Alabama, approved December 13th, 1900, approved February 28th, 1901, be and the same is hereby amended so as to read as follows:

That said city of Bessemer, Alabama, shall include in its corporate limits and its jurisdiction shall extend to

and cover all of the following described territory, to-wit:

Beginning at a point in the center of the main line of the Alabama Great Southern Railroad, at the intersection of Twelfth (12) street, running in a northwesterly direction along and including said Twelfth (12) street to Tenth (10) avenue; thence at right angle running northeasterly along and including said Tenth (10) avenue to Sixteenth (16) street; thence at right angle running in a north westerly direction along and including said Sixteenth (16) street to Twelfth (12) avenue; thence at right angle running in a north easterly direction along and including said Twelfth (12) avenue to its intersection with Thirty-second (32) street, thence along and including Thirty-second (32) street to its intersection with Caroline avenue; thence at right angle running in a north easterly direction along and including Caroline avenue to the north and south line between section 2 and 3; thence along this section line running in a southerly direction to the S. W. corner of S. W. 1-4 of the N. W. 1-4 of section two (2); thence in an easterly direction along this quarter section line to the northeast corner of the northwest 1-4 of the southwest 1-4 of section two (2); thence in the direction of south to and including Holbrook avenue, to the intersection of Fourteenth (14) street; thence at right angle running in a northwesterly direction along and including Fourteenth (14) street to a point where said street crosses the section-line running east and west between ten and fifteen section; thence west along said section line to its intersection with 12th street; thence along and including Twelfth (12) street in a north-westerly direction to the point of beginning. All of townships 18 and 19, and range 4, west.

Section 2. That all laws or parts of laws in conflict with the above section be and the same are hereby repealed.

The State of Alabama, }
Jefferson County. }

Personally appeared before me the undersigned authority, A. K. Williamson, who being by me duly sworn,

deposes and says, on oath, that he is the president and manager of the Workman Publishing Company; that the Bessemer Workman is a newspaper published in the city of Bessemer, Jefferson county, Alabama; and affiant further says on oath that the following printed notice pasted to this affidavit was published once a week for four consecutive weeks in the said Bessemer Workman.

A. K. Williamson,
President and Manager.

Subscribed and sworn to before me on this the 12 day of Feb., 1907.

Edgar L. Mitchell,
Notary Public.

~~H. 222: To amend section two (2) of an act to establish the inferior court of Demopolis precinct, Marengo county, Alabama, in lieu of all justice of the peace therein to be called city court of Demopolis, approved Sept. 26, 1903, and by adding section 14 to said act.~~

And sends same to the Senate with notice and proof attached and exhibited herewith as follows:

NOTICE, TO WHOM IT MAY CONCERN:

Notice is hereby given that a bill will be introduced at the next session of the Legislature of Alabama to amend section two (2) of the act to establish the inferior court of Demopolis precinct in lieu of all justices of the peace, approved September 26th, 1903, so as to give the said inferior court jurisdiction over all misdemeanors committed in Demopolis precinct in violation of the road laws, and by adding a section to said act making it unlawful for the judge of said inferior court to prepare any court paper upon the validity of which the judge of said court may be called upon to pass.

S. G. Woolf.

The State of Alabama, }
Marengo County. }

Before me, C. K. Abrahams, a notary public in and for said county and State, personally appeared H. A.

Norton, who, being by me first duly sworn, deposes and says, that he is publisher of the Demopolis Times, a weekly newspaper published in Marengo county, Alabama; that the above notice, hereto attached, was inserted in said newspaper in its issue of 13th day of December, 1906, and has been published and has appeared regularly in four consecutive weekly issues of said The Demopolis Times. (Signed) H. A. Norton.

Sworn to and subscribed before me, on this the 5th day of January, 1907. (Signed) C. K. Abraham,
Notary Public, Marengo County, Alabama.

H. 725. To amend section 3 of an act entitled "An act to regulate the trial of misdemeanors in the county of Macon," approved February the 18th, 1891.

And sends the same to the Senate, with notice and proof attached and exhibited herewith as follows:

LEGISLATIVE NOTICE.

To whom it may concern:

Notice is hereby given that a bill will be introduced and application made to the next Legislature of Alabama to pass the following act, to-wit:

Be it enacted by the Legislature of Alabama, That section 3 of an act entitled "An act to regulate the trial of misdemeanors in the county of Macon," approved Feb. 18th, 1891, be and is hereby amended so as to read as follows: Section 3. Be it further enacted, That it shall be the duty of the presiding judge of the circuit court of said county, at each term thereof, to enter upon the minutes of the court on the day of adjournment, an order requiring the clerk of said court to deliver to the judge of the county court all indictments for misdemeanors presented or filed in the circuit court and not finally determined; except offenses growing out of illegal sale of spirituous, vinous or malt liquors, intoxicating bitters or beverages; and, after the making of said order, the said county court as herein established shall

have concurrent jurisdiction with the circuit court for the trial of said cases. Ernest W. Thompson.

The State of Alabama, }
Macon County. }

Before me, C. W. Hare, a notary public, ex. offi. justice of the peace, in and for said State and county, personally appeared M. A. Warren who being duly sworn deposes and says that he is foreman of the Tuskegee News, a newspaper published in said county, and that the appended notice was published for four (4) consecutive weeks in said newspaper, beginning on the 3rd day of January, 1907, and ending the 24 day of January, 1907.

M. A. Warren.

~~Sworn to and subscribed before me this 2 day of Feb., 1907.~~ C. W. Hare,

~~Notary Public Ex. Offi. Justice of the Peace.~~

H. 125. To regulate the fine and forfeiture fund of Jefferson county and the disposal of moneys arising from fines, forfeitures and convict labor in said county.

And sends the same to the Senate, with notice and proof attached and exhibited herewith as follows:

The State of Alabama, }
Jefferson County. }

Personally appeared before me the undersigned authority, a notary public in and for said county in said State, Jas. J. Smith, who being by me first duly sworn on oath says: That he is the publisher of the Birmingham Ledger, a daily newspaper published in the city of Birmingham, Jefferson county, Alabama, and that the notice, a copy of which is hereto attached, was published once a week for four consecutive weeks in said paper, the first notice appearing on the 8th day of December, 1906.

(Signed) Jas. J. Smith.

Sworn to and subscribed before me, this the 7th day of January, 1907.

(Signed) D. N. Smith,
Notary Public.

NOTICE.

Notice is hereby given that at the next session of the Legislature of Alabama application will be made for the passage of the following bill:

A BILL

To be entitled an act to regulate the fine and forfeiture fund of Jefferson county and the disposal of moneys arising from fines, forfeitures and convict labor in said county.

Section 1. Be it enacted by the Legislature of Alabama, That all claims that may accrue against the fine and forfeiture fund of Jefferson county shall be registered in the same manner as is now provided by law, but claims which have been registered by the county treasurer shall not be required to be registered again, and in such registration the order and number of registration shall be preserved.

Section 2. Be it further enacted, That it shall be the duty of the county treasurer to report at least thirty days previous to the first day on which the board of revenue of the county shall meet at its regular term in the months of January, April, July and October in each year all moneys in his hands accruing from fine and forfeitures, convict labor and otherwise pertaining to said fine and forfeiture fund, to the board of revenue, and the same shall be subject to the order of the said board and to be paid out by said treasurer only upon the order of such board of revenue.

Section 3. Be it further enacted, That it shall be the duty of the board of revenue, if there be funds in said fine and forfeiture fund, to advertise once a week for three consecutive weeks previous to the first day on which said board of revenue shall meet at its regular term in the months of January, April, July and October of each year, notifying all persons holding registered claims against said fund that bids will be received until twelve o'clock of the day such board meets, and

shall state in said advertisement the amount on hand and the amount of registered claims against the fund outstanding and unpaid, the bids shall be made in writing and shall state the claim or claims held by the bidders and number of registration, which shall be sealed and handed to the said board of revenue before the hour of twelve o'clock on the day said board meets, the money shall be awarded to the bidder who proposes to accept payment in full of their claim against said fund at the highest rate of discount, and should there be two or more bidders at the same rate of discount, and the funds being insufficient to pay all of them, the money shall be awarded to such claims in the order of their registration, beginning with the oldest. When the biddings are closed and the money awarded said board of revenue shall issue warrants on such funds to the persons entitled thereto, upon receipt and surrender of their claims, or a proper voucher if their claim is not paid in full, and an indorsement made on the claim of the amount paid thereon, and said treasurer shall also note the amount of the payment on the registry of claims, provided said board of revenue shall have the right to reject any and all bids.

Section 4. Be it further enacted, That all laws and parts of laws in conflict with the provisions of this act be, and the same are hereby repealed.

Jere C. King.

H. 238. To authorize the commissioners' court of Baldwin county to surrender and convey the county buildings and grounds at Daphne to the trustees of a normal school to be established in said county.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that a bill will be introduced in the next Legislature of Alabama, authorizing and empowering the court of county commissioners of Baldwin county to deed the court house and other property

belonging to the county at Daphne to the State of Alabama, for the establishment at Daphne of a school to be maintained by the State.

A bill to be entitled an act to authorize the commissioners' court of Baldwin county to surrender and convey the county buildings and grounds at Daphne to the trustees of a normal school to be established in said county.

Section 1. Be it enacted by the Legislature of Alabama, That the court of county commissioners of Baldwin county are hereby authorized and empowered to surrender and convey to such board of trustees and directors of a State normal school as may by law be created for the purpose of conducting a normal school at Daphne, the county buildings at Daphne, consisting of the former court house and other property, and the lot of land on and within which the same stand constituting the curtilage of the same for use and to be employed in the establishment and conduct of a normal school under the laws of Alabama.

The State of Alabama, }
Baldwin County. }

W. C. Dinwiddie being duly sworn, deposes and says that he is the publisher of the Baldwin Times, a weekly newspaper published at Bay Minette, Baldwin county, Alabama, that the notice of bill to be introduced in Legislature of Alabama as per a copy of which is hereto attached, was printed in said paper for four consecutive weeks beginning with the issue dated 6th day of December, 1906. (Signed) W. C. Dinwiddie.

Subscribed and sworn to before me, this the 8th day of January, 1907. (Signed) W. D. Staphton,
Notary Public.

And has originated and passed the following bill, and has ordered same sent forthwith to the Senate without engrossment:

H. 841. To amend section 4 of an act entitled "An act to establish at the University of Alabama, a sum-

mer school for teachers, and to provide an appropriation for its maintenance, and to provide for the examination of teachers attending said summer school," approved October 1, 1903.

And sends same herewith to the Senate.

And as originated and passed the following bill:

H. 655. To establish a dispensary in and for the town of Dayton, in the county of Marengo, State of Alabama, and to provide for the conduct and regulation of the same.

And sends the same to the Senate, with notice and proof attached and exhibited herewith as follows:

The State of Alabama, }
Marengo County. }

I, J. P. Anderson, publisher of the Thomaston Post, a weekly newspaper published at Thomaston, Marengo county, Ala., hereby certify that the following notice, to-wit:

NOTICE.

NOTICE.

To whom it may concern: You will take notice that a bill will be introduced for passage by the present Legislature of Alabama to establish a dispensary for the sale and disposal of spirituous, vinous and malt liquors in the town of Dayton in Marengo county, Alabama, the substance of which is as follows; and said bill provides: That the mayor and town council of the town of Dayton may invest for the purpose of conducting such dispensary a sum of money not to exceed \$3000.00; to provide for the appointment of a dispenser to carry on such business, and to fix his compensation; to designate the hours during which said business may be conducted, and when the same shall be opened and closed; to define the duties of the dispenser, his removal, term of office and appointment of his successor; to prevent drinking on the premises of said dispensary and to provide a penalty therefor; to prevent the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or other intoxicating beverages or drinks at any other

place within Dayton precinct in Marengo county except at such dispensary; to provide the disposition to be made of the profits arising for said dispensary; to require that all liquors sold by said dispensary shall be for cash; to define the meaning of terms and words used in said act; to provide what license tax shall be paid by said dispensary; to provide when said dispensary act shall become effective; to provide for the appointment of all necessary officers and agents of said dispensary, their term of office and removal from office.

(Signed). Mayor and Town Council of the Town of Dayton.

W. C. Eppes (Mayor), T. F. Drummond, Councilman, W. W. Allen, L. K. Jones, L. T. Askew.

Also the following notice, to-wit:

NOTICE.

The State of Alabama, Marengo Co., Town of Dayton.

The public will take notice that a bill will be introduced in the Legislature of the State of Alabama during its next session, to establish a dispensary in and for the town of Dayton, Marengo county, Alabama, for the sale of spirituous and vinous liquors, malt liquors, wines, ciders and other intoxicating liquors.

Dated at Dayton, Alabama, December 24th, 1906.

W. C. Epes, Mayor.

L. K. Jones, Sec.

Were published in four consecutive issues of said newspaper, viz: in the issues of January 10, 1907; January 17, 1907; January 24, 1907; and January 31, 1907.

J. P. Anderson,

Publisher of the Thomaston Post.

Sworn to and subscribed before me this the 2nd day of February, 1907.

J. J. Miller,

Notary Public Marengo County, Ala.

And has originated and passed the following bill:

H. 769. To better provide for the revenue of the State and the more efficient assessment and collection of taxes, and for this purpose to create a commission to be known as the State Tax Commission of Alabama, and to prescribe the powers and duties of said commission, and its mode of procedure, and to abolish the office of State Tax Commissioner.

And sends the same to the Senate.

And has originated and passed the following bill and has ordered same sent to the Senate without engrossment.

H. 732. To make a supplemental appropriation for the payment of the increased salaries of the judicial officers of this State.

And has originated and passed the following bills:

~~H. 741. To make subject to taxation and to fix the~~
franchises, or intangible property and assets of every person, association, company and corporation engaged as common carrier in this State in the business of transporting persons or property over any railroad, including street railroads, or in the business of operating any cars over any railroad for the transportation of freight or passengers, including sleeping cars, parlor or palace cars, dining cars, chair cars, tank cars, and cars of any other kind; or engaged in operating for gain any telegraph or telephone lines or plant or business; or in operating any plant or business for the production, manufacture, distribution or sale of gas, water, electricity, electric power, electric light, steam heat, oil, refrigerated air, or other like substances, by means of pipes, wires, or conduits passing on, over, under or through any territory, street alley or highway in this State; or in the business of operating for gain, dockage, wharfage, canal, freight or passenger depots, stations or terminals, or engaged in any other business which may be dependent upon the grant of public powers or privileges, or which may involve the operation of any public utility; and to provide for the valuation and manner of ascertaining the values of such franchises, or intangible properties, and the distribution of the same for local taxa-

tion, and the levy, assessment and collection of said taxes thereon.

And sends the same to the Senate.

H. 478. To prohibit the sale, giving away, or otherwise disposing of alcoholic, spirituous, vinous or malt liquors, intoxicating bitters, wines, or fruits preserved in such intoxicants within precinct number 17, known as Warrior precinct in the county of Jefferson, State of Alabama, and to repeal the present local law for the town of Warrior under which saloons are now operated.

And sends the same to the Senate with notice and proof attached and exhibited herewith as follows:

Notice is hereby given that a bill will be introduced in the next Legislature of Alabama to prohibit the sale giving away, or otherwise disposing of alcoholic, spirituous, vinous or malt liquors, intoxicating bitters, wines or fruits preserved in such intoxicants within Warrior precinct number 17, and to provide a penalty therefor and also to repeal an act passed by the last Legislature of the State of Alabama to regulate the sale of vinous, spirituous or malt liquors and all intoxicating liquors and to establish, maintain and regulate a dispensary in the town of Warrior in Jefferson county, Alabama, for the sale of such liquors and to establish and perpetuate a board of commissioners for the management of such dispensary and for other purposes.

Dec. 27, 4t.

The State of Alabama, }
Jefferson County. }

I, Edgar W. Jones, who being first duly sworn, deposes and says that he is the editor and manager of The Jones Valley Times, a weekly newspaper published in Jefferson county, Alabama, and that the following notice, to-wit: "Notice is hereby given that a bill will be introduced in the next legislature of Alabama to prohibit the sale, giving away, or otherwise disposing of alcoholic, spirituous, vinous, or malt liquors, intoxicating bitters, wines, or fruits preserved in such intoxicants within Warrior precinct number 17, and to provide a penalty therefor, and also to repeal an act passed

by the last legislature of the State of Alabama to regulate the sale of vinous, spirituous or malt liquors and all intoxicating liquors, and to establish, maintain and regulate a dispensary in the town of Warrior in Jefferson county, Alabama, for the sale of such liquors, and to establish and perpetuate a board of commissioners for the management of such dispensary, and for other purposes." appeared 4 times, and in 4 consecutive issues of said paper, the first appearance was in the issue of said paper bearing date on the 27th of December, 1906, and the second appeared in the issue of January 3rd, 1907, the third appearance was on January 10th, 1907, and the fourth appearance on January 17th, 1907, and this notice was published in said newspaper once a week for four consecutive weeks and on the dates above stated.

E. W. Jones, Manager,
Editor of Jones Valley Times.

Sworn to and subscribed before me by Edgar W. Jones on this the 19th day of January, 1907.

R. L. Williams,
Notary Public.

H. 149. For the relief of A. A. Heard an ex-confederate soldier, being a resident of Marion county, Alabama.

And sends the same to the Senate with notice and proof attached and exhibited herewith as follows:

NOTICE.

Notice is hereby given that I shall apply to the Legislature, session 1907, for a law for the relief of A. A. Heard, an ex-confederate soldier, and Mary A. Pope, widow of an ex-confederate soldier, who have for several years been on the pension rolls of Marion county, Ala., and who by mistake were reported to the auditor as being dead, so that said pensioners will receive auditor's warrant for pension of 1906 and their names be restored to the pension rolls.

Mack Pearce.

The State of Alabama, }
 Marion County. }

Before me, Mack Pearce, judge of probate in and for said State and county, this day personally appeared G. J. Wilson, who, being by me first duly and legally sworn, deposes and says that he is editor and publisher of the Marion County News, a weekly newspaper published at Hamilton, in said Marion County, Alabama, and that a certain notice, a true and correct copy of which is hereto attached, was inserted in said Marion county News, and was published once a week for four consecutive weeks in said newspaper before the making of this affidavit.

G. J. Wilson, Pub. News.

Sworn to and subscribed to before me this, the 3rd day of January, A. D., 1907.

Mack Pearce, Judge of Probate.

H. 581. To fix the salary of the judge of the police court of the city of Birmingham, Alabama.

And sends the same to the Senate with notice and proof attached and exhibited herewith as follows:

NOTICE.

Is hereby given that application will be made to the next session of the Legislature of the State of Alabama, which convenes on January 8, 1907, for the enactment of a law to fix the salary of the judge of the inferior criminal court (known as the police court) of the city of Birmingham, Ala., at three thousand (\$3,000.00) dollars per annum, payable as now provided by law.

1-5-sat-4t.

The State of Alabama, }
 Jefferson County. }

Personally appeared before me, T. J. Shirley, a notary public in and for the said State and county, L. H. Putnam, a resident citizen of said State and county, who being duly sworn deposes and says that the above

notice of publication for the enactment of a law by the legislature of the State of Alabama, to fix the salary of the judge of the inferior criminal court, known as the police court of the city of Birmingham, Ala., at (\$3,000.00) three thousand dollars per annum, payable as now provided by law, has been published once a week for four consecutive weeks, to-wit: on January the 5th, the 12th, the 19th, and the 26th, 1907, in the Birmingham Ledger, a newspaper published in the city of Birmingham, Ala., as by law provided in such cases.

(Signed) L. H. Putnam.

Sworn to and subscribed before me, this the 28th day of January, 1907.

T. J. Shirley,
Notary Public.

(SEAL.)

H. 606. To repeal section 2038 of the code of Alabama and all acts amendatory thereof in so far as it applies to St. Clair county.

And sends the same to the Senate with notice and proof attached and exhibited herewith as follows:

NOTICE.

Notice is hereby given that the following bill will be introduced at the next session of the Legislature of Alabama.

An act to repeal section 2038 of the Code of Alabama in so far as it applies to St. Clair county.

Be it enacted by the legislature of Alabama, That section 2038 of the code of Alabama, which provides that "the wages, salaries, or other compensation of laborers or employes, residents of this State, for personal services, to the amount of twenty-five dollars per month, shall also be exempt from levy under writs of garnishment or other process for the collection of such debts, and every such levy is void as to such amount," is hereby repealing in so far as it applies to St. Clair county.

Dec. 5, 1906.

F. R. Mathews.

The State of Alabama, }
 St. Clair County. }

Before me, Chas. R. Robinson, notary public and ex-officio justice of the peace in and for said county, in said State, personally appeared W. A. Starnes, publisher of the Pell City Times, a newspaper published in Pell City, St. Clair County, who being by me duly sworn, says on oath that the attached notice of publication was published in the Pell City Times once a week for five consecutive weeks, being thirty days, beginning Thursday, December 6th, 1906, and ending Thursday, January 10th, 1907.

W. A. Starnes,
 Publisher Pell City Times.

Sworn to and subscribed before me, this February 2, 1907.

Chas. R. Robinson,
 Notary Public and ex-officio J. of P.

H. 678. To ratify and make legal the warrants issued to the probate judge and sheriff of Walker county, Alabama, for services rendered in holding the county court of said county from March 6th, 1903, to June 9th, 1905.

And sends the same to the Senate with notice and proof attached and exhibited herewith as follows:

NOTICE.

Notice is hereby given that application will be made to the Legislature of Alabama, 1907 session, for the passage of an act in substance as follows:

Section 1. That the warrants issued to the probate judge and sheriff of Walker county, Alabama, for services rendered in holding the county court of said county from March 6th, 1903, to June 9th, 1905, are hereby ratified and made legal and the treasurer of Walker county is authorized to pay same.

Section 2. That all laws and parts of laws in conflict with this act are hereby repealed.

1-9-4w.

The State of Alabama, }
Walker County. }

Before me, Robert S. Snoddy, in and for said State and county, personally appeared W. R. Richardson, who being duly sworn says on oath that he is publisher of the Mountain Eagle, a newspaper in Walker county, Alabama, and that the attached notice was published in the said paper for four consecutive weeks next preceeding the making of this affidavit.

W. R. Richardson.

Sworn to and subscribed before me this 30th day of January, 1907.

Robert S. Snoddy,
N. P. & Ex.-Off. J. P.

~~H. 670 To ratify and make legal claims against the fine and forfeiture fund of Walker county all claims issued from March 6th, 1903, to June 9th, 1905, to the sheriff and circuit clerk of said county against said fund for services performed in and for the court acting as the county court of Walker county, and for the circuit court while said court was held or attempted to be held under what was known as the 14th judicial circuit act approved March 6th, 1903.~~

And sends the same to the Senate with notice and proof attached and exhibited herewith as follows:

NOTICE.

Notice is hereby given that application will be made to the Legislature of Alabama, 1907 session, for the passage of an act in substance as follows:

Section 1. That all claims issued to the sheriff and circuit clerk of Walker county, Alabama, against the fine and forfeiture fund of said county from March 6th, 1903, to June 9th, 1905, for services performed in and for the court acting as the county court of Walker county, and for the circuit court while said court was held or attempted to be held under what was known as the 14th judicial circuit act, approved March 6th, 1903, are

hereby ratified and made legal claims against the fine and forfeiture fund of said county.

Section 2. That all laws and parts of laws in conflict with this act are hereby repealed. 1-9-4w.

The State of Alabama, }
Walker County. }

Before me, Robert S. Snoddy, in and for said State and county, personally appeared W. R. Richardson, who being duly sworn says on oath that he is publisher of the Mountain Eagle, a newspaper published in Walker county, Alabama, and that the attached notice was published in the said paper for four consecutive weeks next preceding the making of the affidavit.

W. R. Richardson, Mgr.

Sworn to and subscribed before me, this 30 day of January, 1907.

Robert S. Snoddy,
N. P. and Ex.-Off. J. P.

H. 699. To repeal an act entitled an act to provide for the running at large of domestic live stock in the precincts of Hazel Green and all that section of Hurricane lying north of the line that formerly divided the precinct of Hurricane from the precinct of Maysville, Madison county. Approved February 9th, 1901.

And sends the same to the Senate with notice and proof attached and exhibited herewith as follows:

The State of Alabama, }
Madison County. }

Before me, W. F. Esslinger, a notary public in and for said county and State, this day personally appears Charles P. Lane, who being duly sworn says that the following notice, of intention to apply for local law, to-wit:

NOTICE OF INTENTION TO APPLY FOR LOCAL LAW.

Notice is hereby given in compliance with section 106 of the Constitution of the State of Alabama, that at the

present session of the Legislature of Alabama, a bill will be introduced to repeal an act entitled an act to provide for the running at large of domestic live stock in the precincts of Hazel Green and that section of Hurricane lying north of the line that formerly divided the precinct of Hurricane from the precinct of Maysville, said act being approved February 9, 1901, and found in acts of Alabama, 1900 and 1901. 4t-wk.

Was published once a week for four consecutive weeks upon the following dates, to-wit: January 15th, 22nd, and 29th; and February 5th, 1907, in the Weekly Tribune a newspaper published in said county of Madison, and that affiant is the editor and publisher of said newspaper.

Chas. P. Lane.

Sworn to and subscribed before me, this 6th day of February, 1907.

W. F. Esslinger,
Notary Public.

H. 756. To amend section one of an act entitled "an act to incorporate the town of Sulligent in the county of Lamar, State of Alabama," approved February 12th, 1897.

And sends the same to the Senate with notice and proof attached and exhibited herewith as follows

NOTICE OF PROPOSED LEGISLATION.

Notice is hereby given that the session of the legislature of the State of Alabama which begins on the 8th day of January, 1907, application will be made for the passage of a bill in substance or effect as follows:

A bill to be entitled an act to amend section 1 of an act entitled "an act to incorporate the town of Sulligent in the county of Lamar, State of Alabama," approved February 12th, 1897.

Section 1. Be it enacted by the legislature of Alabama, that section 1 of an act entitled "an act to incor-

porate the town of Sulligent in the county of Lamar, State of Alabama," approved February 12th, 1897, be and the same is hereby amended so as to read as follows: Section 2. Be it enacted by the General Assembly of Alabama, that the town of Sulligent in Lamar county, State of Alabama, be and the same is hereby incorporated under by the name of the town of Sulligent, and its corporate limits shall extend and be as follows, to-wit: beginning at a point fifty feet north of the center of the main line track of the St. Louis & San Francisco railroad company one-half mile in a westerly direction from a point sixty-four feet north of the center of the depot building of said company now situated in Sulligent, Alabama, and running north one-half of a mile, thence easterly parallel with said main line tract one-half of a mile, thence south one-half of a mile, thence easterly parallel with said main line tract one-fourth of a mile, thence south three-fourths of a mile, thence north to a point fifty feet north of the center of said main line track, thence easterly parallel with said main line track to point of beginning, said territory being in township thirteen, range fifteen, west, in Lamar county, Alabama.

D. D. Hollis,
John S. Guyton.

The State of Alabama, }
Lamar County. }

Before me, R. L. Bradley, judge of probate in and for Lamar county, Alabama, personally appeared C. S. McDougal, who being duly sworn, deposes and says that he is the editor and publisher of the Lamar Democrat, a newspaper published in said county, that the foregoing notice of the intention to apply for the passage of a bill entitled an act to amend section one of an act entitled "An act to incorporate the town of Sulligent in the county of Lamar, State of Alabama," approved February 12th, 1897, the purpose of which bill is to extend the corporate limits of the town of Sulligent, Lamar county, Alabama, has been published in said newspaper for four consecutive weeks before this date, to-wit, in

the issues of January 2nd, January 9th, January 16th, and January 23rd, 1907.

C. S. McDougal.

Subscribed and sworn to before me this 15th day of February, 1907.

R. L. Bradley,
Judge of Probate.

H. 757. To legalize and authorize the payment of certain warrants inadvertently and improperly issued by the commissioners' court of Monroe county, against the fine and forfeiture fund of said county.

And sends the same to the Senate with notice and proof attached and exhibited herewith as follows:

The State of Alabama, }
Monroe County. }

Before me, L. J. Bugg, a notary public in and for said State and county, personally appeared Q. Salter, who being by me first duly sworn, deposes and says, that he is the editor and publisher of the Monroe Journal, a newspaper published in Monroeville, in said State and county, and that the following notice, to-wit:

NOTICE.

Notice is hereby given that I will apply to the next Legislature of Alabama for the passage of an act legalizing and authorizing the payment of the following warrants issued by the commissioners' court of Monroe county, Alabama, drawn for the payment of sheriff's fees, which were chargeable to and payable out of the fine and forfeiture fund of said county, to-wit. One warrant for \$156, Nov. 8, 1898, Reg. No. 342; one warrant for \$74, Feb. 8, 1898, Reg. No. 37; one warrant for \$25, Nov. 8, 1897, Reg. No. 74; one warrant for \$25, Nov. 8, 1897, Reg. No. 73; one warrant for \$25, Nov. 8, 1897, Reg. No. 71; one warrant for \$25, Nov. 8, 1897, Reg. No. 72; one warrant for \$60, Nov. 8, 1897, Reg. No. 38; one warrant for \$25, Nov. 8, 1897, Reg. No. 68; and all other such warrants issued under similar circum-

stances that have been duly registered in said Monroe county.

This Dec. 10, 1906.

John I. Watson,
Ex-Sheriff Monroe County.

Was published in each issue of said paper beginning with the issue of January 10th, 1907, and continued to and contained in the issue of February 14th, 1907, and that said notice has been published for thirty days in said paper.

Q. Salter.

Sworn to and subscribed before me, this 15 day of February, 1907.

L. J. Bugg,
Notary Public.

H. 566. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous, or malt liquors, or other intoxicating drinks within five miles of Foley and within two and one-half miles of the Episcopal church at Magnolia Springs, Alabama.

And sends the same to the Senate with notice and proof attached and exhibited herewith as follows:

NOTICE.

Notice is hereby given that a bill will be introduced in the next Legislature of Alabama to prohibit the sale of spirituous, vinous or malt liquors within five miles of Magnolia Springs, post office at Magnolia Springs, Ala.

The State of Alabama, }
Baldwin County. }

W. C. Dimmiedie, being duly sworn, deposes and says that he is the publisher of The Baldwin Times, a weekly newspaper published at Bay Minette, Baldwin county, Alabama, that the notice of bill to be introduced in Ala. Legislature to prohibit sale of liquor 5 miles of Magnolia Springs, Ala., a copy of which is hereto at-

tached, was printed in said paper for 4 consecutive weeks, beginning with the issue dated 13th day of Dec., 1906.

W. C. Dimmiedie.

Subscribed and sworn to before me, this 19th day of January, 1907.

W. D. Stapleton,
Notary Public, Baldwin Co., Ala.

H. 497. For the relief of D. I. Guthrie, ex-tax collector for Lamar county, Alabama.

And sends the same to the Senate with notice and proof attached and exhibited herewith as follows:

Notice is hereby given that at the next session of the ~~Legislature of Alabama~~ application will be made for the passing of an act providing substantially as follows:

An act for the relief of D. I. Guthrie, ex-tax collector for Lamar county, Alabama.

Section 1. Be it enacted by the Legislature of Alabama, That the auditor of Alabama is hereby authorized and required to draw his warrant upon the treasury of the State of Alabama in favor of D. I. Guthrie of Lamar county Alabama, for the sum of one hundred forty-five and 36-100 dollars, and the said treasurer shall pay said warrant out of any funds not otherwise appropriated; that being the amount said D. I. Guthrie was erroneously required to pay into the State treasury during the year 1899 in accordance with the report of the examiner of public accounts.

The State of Alabama, }
Lamar County. }

Before me, R. L. Bradley, judge of probate in and for said county in said State personally appeared C. S. McDougal, who being duly sworn deposes and says that he is the publisher and editor of the Lamar Democrat, a newspaper published in said county, and that the foregoing notice has been published in said newspaper for

four consecutive weeks, to-wit, in the issues of December 26th, 1906, January 2nd, January 9th, and January 16th, 1907.

C. S. McDougal.

Subscribed and sworn to before me this 24th day of January, 1907.

R. L. Bradley, Judge of Probate.

H. 654. To relieve Cyrus Jones, Jr., as the only legal heir of Cyrus Jones, Sr., deceased, by refunding to him, money, amounting to \$250.20, belonging to the estate of the said Cyrus Jones, Sr., deceased, which escheated to the State of Alabama for lack of a claimant, as shown by the minute entries of the probate court of Madison county, Alabama, Vol. 30, page 42; and further evidenced by treasurer's receipt No. 510 A. D., 1905.

And sends same to the Senate with notice and proof attached and exhibited herewith as follows:

NOTICE.

The State of Alabama, }
Madison County. }

In Re. Cyrus Jones Estate.

Notice is hereby given as required by the constitution of the State of Alabama, Art. IV., Section 106, that during the 1907 term of the Legislature of said State, Cyrus Jones, Jr., will ask through a private bill, before the said legislature, the passage of an act for his relief.

The substance of said bill will be as follows: That, Whereas, Cyrus Jones died seized and possessed of certain property in said county and State, and which estate was duly administered upon by Douglass Taylor, who made his final settlement in the probate court of Madison county, Alabama, in 1905, and found no heirs to claim said estate.

That after due notice was published the amount of \$250.20 escheated to the State of Alabama for the lack of a claimant, as shown in the minutes of said court,

volume 30, page 42, and also evidenced by treasurer's receipt No. 510.

Now comes Cyrus Jones, Jr., a son of Cyrus Jones, deceased, and prays for relief from the State of Alabama, and asks that said sum of \$250.20 be paid him from the treasury of said state.

This January 1, 1906.

Cyrus Jones, Jr.

The State of Alabama, }
Madison County. }

On the 5th day of February, A. D. 1907, personally appeared before me, Henrietta R. Hoffman, a notary public in and for Madison county, State of Alabama, Charles P. Lane, who after being duly sworn, doth depose and says:

~~"I am the editor, owner and proprietor of The Weekly Tribune, a newspaper published in the city of Huntsville, in said county and State. I will here state under oath, that the notice hereto attached and made a part of this affidavit was published in the issue of the said newspaper of date 1st day of January, A. D. 1907, and for three other consecutive issues of said paper thereafter, making thirty days publication of said notice the said thirty days notice expiring on the 5th day of February, A. D. 1907. I further state that said newspaper has a regular weekly circulation, and appears regularly each week.~~

Witness my hand, this the 5th day of February, A. D., 1907.

Chas. P. Lane, Affiant.

Sworn to and subscribed before me this 5th day of February, A. D. 1907.

Henrietta R. Shiffman,
Notary Public.

H. 787. To fix the time of holding the circuit courts in the counties of Perry and Bibb.

And sends the same to the Senate.

H. 793. To fix the salary of the chancellor of the northwestern chancery division of Alabama at the sum

of forty-five hundred (\$4,500.00) dollars per annum, and to provide for the payment of as much thereof out of the State treasury as shall be paid to other chancellors, and for the payment of the remainder thereof out of the treasury of Jefferson county.

And sends the same to the Senate with notice and proof attached and exhibited herewith as follows.

NOTICE.

Notice is hereby given that a bill will be introduced in the next session of the legislature of Alabama, which convenes January 8, 1907, for the passage of an act to increase the salary of the chancellor of the northwestern chancery division of Alabama to an amount not to exceed \$5.000 per annum, of which there shall be paid from the treasury of the State of Alabama the same amount that chancellors are paid by the State, and the balance of which shall be paid out of the treasury of Jefferson county.

1-3-thu-4t.

The State of Alabama, }
Jefferson County. }

I, James J. Smith, hereby certify that I am one of the publishers of the Birmingham Ledger, a newspaper published in Jefferson county, Alabama, and that the advertisement hereto attached has been published in said newspaper once a week for four consecutive weeks, prior to this date, in the issues of said newspaper of January 3rd, 10th, 17th, and 24th, 1907.

James J. Smith.

Sworn to and subscribed before me this 2nd day of February, 1907.

Augustus Benners,
Notary Public for Jefferson County, Alabama.,

H. 761. To extend the police power and jurisdiction of the city of Sylacauga over and about the property and premises of the Central Mills a corporation under the laws of Alabama in the vicinity of said city, in the coun-

ty of Talladega and to empower the corporate authorities to exercise police jurisdiction over the said Central Mills property, and within the limits of one hundred and fifty feet from the boundary lines thereof.

And sends the same to the Senate with notice and proof attached and exhibited herewith as follows:

NOTICE.

Notice is hereby given to all concerned, that the city of Sylacauga intends to apply to the Legislature of Alabama, at the present session thereof, for the passage of a law, to extend the police power and jurisdiction of the city of Sylacauga, over and about the property of the Central Mills in the vicinity of said city, in the county of Talladega, and the State of Alabama.

The State of Alabama, }
Talladega County. }

Personally appeared before me F. M. McDonald, a notary public in and for said county and State, John J. Hunter, who being by me first duly sworn deposes and says that he is the editor of the Sylacauga Progress, a weekly newspaper published at Sylacauga, Alabama, in said county and that the foregoing notice hereto attached and made a part hereof was published in the said Sylacauga Progress once a week for four consecutive weeks and on the following dates, to-wit:

Jan. 24th and 31st, and Feb. 7th and 14th, 1907.

(Signed) John J. Hunter.

Sworn and subscribed to before me, this Feb. 16th, 1907.

(Signed) F. M. McDonald,
Notary Public.

H. 607. To prevent the sale of intoxicating liquors within certain limits in the corporate limits of the city of Talladega and to punish violations of the same.

And sends the same to the Senate with notice and proof attached and exhibited herewith as follows:

NOTICE.

Notice is given that application will be made to the legislature at its approaching session for the enactment of a law of which the following is a copy:

A BILL

To be entitled an act to prevent the sale of intoxicating liquors within certain limits in the corporate limits of the city of Talladega, and to punish violation of same.

Section 1. Be it enacted by the legislature of Alabama, That from and after the passage of this act it shall be unlawful for any person to engage in the business of selling intoxicating liquors in any form within the limits hereinafter set forth in the corporate limits of the city of Talladega, viz., between the track of the Southern railway on East street in said city and a point on said East street 300 feet south of the first Baptist church of Talladega, or at any point within three hundred feet of any church in said city.

Section 2. Be it further enacted that any person engaging in the sale of intoxicating liquors within the prescribed limits shall forfeit his license to sell intoxicating drinks, and shall, on conviction for the violation of the provisions of this act be fined not less than fifty nor more than five hundred dollars, which fine shall be paid in money.

The State of Alabama, }
Talladega County. }

Before me, W. B. Castleberry, a notary public in and for said county and State, personally came John C. Williams, who being duly sworn deposes and says that he is the editor and publisher of the Our Mountain Home, a weekly newspaper published at Talladega in said county and State, and that the foregoing notice was published in his said paper for four consecutive weeks

prior to this date, to-wit on the 9th, the 16th, the 23rd, and the 30th days of January, 1907.

(Signed) John C. Williams.

Subscribed and sworn to before me, this the 31st day of January, 1907.

(Signed) W. B. Castleberry.
Notary Public.

H. 630. To amend an act to incorporate the town of Jackson, Clarke county, Alabama, approved February 15th, 1897.

And sends the same to the Senate with notice and proof attached and exhibited herewith as follows:

NOTICE.

To whom it may concern:

The next Legislature of Alabama, which convenes on the 2nd Tuesday in January, 1907, will be requested to pass the following act:

A BILL

Entitled an act to amend an act to incorporate the town of Jackson, Clarke county, Alabama, approved February 15, 1897.

Section 1. Be it enacted by the General Assembly of Alabama, That section one of the act entitled an act, to incorporate the town of Jackson, in Clarke county, Alabama, so far as it applies to the corporate limits of said town, be amended so as to read as follows:

Section 2. Be it further enacted that the town of Jackson, in Clarke county, and in the State of Alabama, be, and the same is hereby incorporated, and the corporate limits of said town shall be as follows, to-wit:

Beginning at the southwest corner of section 8, T. 6, N. R. 2 E., thence east to the right of way of the Mobile and Birmingham railway, thence in a northeasterly direction along the northern boundary of the right of way to the half mile line of section 8, T. 6 N., R.

2 E., running north and south. Thence south along said half mile line to a point on said half-mile line 250 feet south from the center of the track of the Mobile and Birmingham railway where said half mile line crosses said track of said railway, thence in a north-eastwardly direction on a line parallel with said track of said railway to a point on the quarter-mile line of of said section 8, T. 6 N. R. 2 E., running north and south 250 feet from the center of said track of said Mobile and Birmingham railway where said quarter-mile line crosses the said Mobile and Birmingham railway track, thence north up said quarter-mile line to the northern boundary from right of way of Mobile and Birmingham railway, thence along the northern boundary of right of way to section line between sections 8 and 9, thence north to the south-east corner of the northeast quarter of the northeast quarter of section 8, thence east to the southeast corner of the northwest quarter of the northwest quarter of the section 9, thence north to the northeast corner of the northwest quarter of southwest quarter of section 4, thence west to the northeast corner of the southeast quarter of section 5, thence north to the northeast corner of section 5, thence north to a half-mile line of section 32, T. 7 N., R. 2 E., thence west one-half mile, thence south one-half mile to township line, thence west along the township line to the north-west corner of section 5, thence south along section line between sections 5 and 6, and south along section line between sections 7 and 8, to place of beginning, being in sections 4, 5, 8 and 9, T. 6, N. R. 2 E., and in section 32, T. 7 N., R. 2 E., and the present and future inhabitants of said town shall be and continue a body politic and corporate under the name and style of the "Town of Jackson," under and by which name and style the corporate authorities may sue and be sued either in law or equity and may purchase and hold property to the amount of fifty thousand dollars and do all acts incident to bodies corporate and shall have police jurisdiction one mile beyond its corporate limits.

Section 3. Be it further enacted that all laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

Wilson & Aldridge, Attys.

The State of Alabama, }
County of Clarke. }

~~Personally appeared before me, G. G. Warren, notary public in and for said county and State, E. L. Colley, publisher the South Alabamian, who being by me duly sworn, states that the annexed publication has been regularly made once a week for four consecutive weeks beginning on the 5th day of Jan. 1907, and ending on the 26th day of January, 1907, in the South Alabamian, a newspaper published in the county of Clarke, town of Jackson and State of Alabama.~~

E. L. Colley, Publisher.

Sworn to and subscribed before me this the 28th day of January, 1907.

Geo. G. Warren, Notary Public.

H. 825. To amend an act entitled an act to amend an act to regulate the trial of misdemeanors in Bibb county, approved December 14, 1894.

And sends the same to the Senate with notice and proof attached and exhibited herewith as follows:

LEGAL NOTICE.

Notice is hereby given that application will be made to the next legislature of the State of Alabama, which convenes on the eighth day of January, 1907, to amend section 7 of an act entitled an act to regulate the trial of misdemeanors in Bibb county, Alabama, approved December 14, 1894. Said amendment will provide that all complaints for misdemeanors arising in that part of beat No. six, north of and west of Little River, in said county, shall be taken out of the Centerville division of the county court, and that the same be made triable in the Blocton division of said county court, and to further

provide for the transferring of all pending cases which originated in said territory from the Centerville division of said court to the Blocton division of said court.

T. S. Dark.

I, C. E. Allen, editor and publisher of the Blocton Enterprise, a weekly newspaper published at West Blocton, Bibb county, Ala., do hereby make oath that notice of the above bill, a copy of which notice is hereto attached, was published in said paper for four consecutive weeks before the introduction of this bill.

C. E. Allen.

Sworn to and subscribed before me this Feb. 7, 1907.

T. S. Dark,
Notary Public.

And has originated and passed the following bill and ordered same sent forthwith to the Senate without engrossment

H. 819. To dissolve the board of trustees of the Medical College of Alabama, and to vest the ownership and control of the property of the Medical College in the board of trustees of the University of Alabama.

And sends same herewith to the Senate.

Cyrus B. Brown, Clerk.

HOUSE MESSAGES.

The House bills in the foregoing House message were severally read once and referred to appropriate standing committees as follows:

H. 615, 238, 732, 741, 149, 581, 497, 841, 819 and 769 to Finance and Taxation.

H. 557, 721, 222, 725, 125, 606, 678, 679, 699, 756, 757, 654, 787, 793, 761, 630, 825 to Local Legislation.

H. 655, 478, 566 and 607 to Temperance.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker of the House having signed the following House bills your signature thereto is requested:

H. 370. To amend section one of an act, entitled an act, to amend the act "to incorporate the city of Tuscaloosa," approved March 12th, 1873, by amending section one of said act, so as to extend the boundary lines of said city, approved February 20, 1889, so as to fix, define, and enlarge the boundaries of the said city of Tuscaloosa.

H. 617. To provide for the establishment of dispensaries in Houston county, Alabama.

H. 618. To repeal an act entitled an act "to prohibit the manufacturing of vinous, spirituous or malt liquors, or to sell, give away or otherwise dispose of vinous, spirituous or malt liquors, or other intoxicating beverages within six miles of Union Hill Baptist church, in Beat 17 of Henry county, passed by the General Assembly of Alabama, session of 1898-1899 and approved on the 21st day of February, 1899.

H. 442. To amend section 4447 of the code of 1896.

H. 379. To fix the salaries of the chancellors, supernumerary judge and circuit judges.

H. 536. To prohibit the sale, barter, exchange or giving away of spirituous, vinous or malt liquors or intoxicating drinks within Camp Smith precinct No. 12, and Wheeler Precinct No. 9, in Colbert county.

H. 163. To fix the time of holding the city court of Montgomery.

H. 85. To constitute a board of jury commissioners for Choctaw county.

H. 50. To authorize the town of Pell city, in St. Clair county, to establish and operate a dispensary for the purpose of buying and selling spirituous, vinous and malt liquors, and to provide for the distribution of certain profits arising therefrom, and for the purpose of better controlling and regulating the sale of such liquors, upon the casting of a majority vote in favor of such dispensary at an election to be held by the quali-

fied voters of precincts, 10, 12, 15, 16, 19, 13, 14, 11 in St. Clair county on the 2nd Monday of April, 1907; and upon the casting of a majority vote against such dispensary at the election herein provided for to repeal the act approved February 28th, 1903, establishing a dispensary at Pell City, the repeal to take effect December 31st, 1907.

H. 156. To provide for the payment of the outstanding indebtedness of the late municipal corporation known as the mayor, aldermen and common council of the city of Mobile evidenced by bonds of said corporation bearing date January 1st, 1881; to authorize the city of Mobile to issue bonds for that purpose; to create a lien upon the wharf property, and water front rights and privileges of the city of Mobile to secure the payment of said bonds at maturity, and to regulate the application of the net revenues derived therefrom to aid the payment of interest on bonds issued under this act; to authorize the city of Mobile to levy a special tax to fully pay the interest on said bonds, and to provide for the winding up of the trust created by the act of February 24th, 1881.

H. 371. To provide for the inspection of jails and almshouses.

H. 716. To authorize the town of Elba in Coffee county Alabama, to buy and sell spirituous, vinous and malt liquors, and to regulate the sale thereof.

H. 746. To authorize all towns and cities that are now or may hereafter be incorporated in the territory now known and described as precinct number three in Elmore county, Alabama, to buy and sell spirituous, vinous and malt liquors, and to provide for the distribution of certain profits arising therefrom and to further regulate or prohibit the sale of such liquors in said precinct.

H. 178. To make appropriation for buildings, machinery and other necessary improvements at the Alabama Industrial School for white boys.

H. 323. To provide necessary funds for maintenance repairs, improvements, apparatus, and additions to the Medical College of Alabama.

H. 179. To make appropriation for the maintenance of the Alabama Industrial School for white boys for the years 1907, 1908, 1909, and 1910.

H. 233. To appropriate the sum of forty thousand dollars (\$40,000) to the Alabama Schools for the Deaf and Blind.

~~H. 455. To create establish and maintain an inferior court of record in and for county of Covington to define and provide for the powers, jurisdiction and procedure thereof; and to provide for officers thereof and their compensation.~~

H. 180. To provide for the sale and other disposition by the board of trustees of the University of Alabama, of such lands as have been or may be selected under and by virtue of an act of Congress entitled "An act to increase the endowment of the University of Alabama from the public lands in said State," approved April 23, 1884; and to ratify and confirm such sales and other dispositions of said lands as may have heretofore been made.

Cyrus B. Brown, Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read at length by the secretary, signed the above House bills, the titles of which are set out in the foregoing message from the House. The reading at length of said bills having been dispensed with, by a two-thirds vote of a quorum of the Senate present.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has adopted the following House joint resolution:

By Mr. John:

H. J. R. 184. Resolved, by the Legislature of Alabama, That a joint convention of the two Houses, be held in

the Hall of the House of Representatives on Thursday, February 28th, 1907, at four forty-five p. m. for the election of two judges of the city court of Birmingham.

At this election every legislator shall vote for two judges at the same time and the two candidates receiving the highest vote, if a majority of all the votes cast, shall be declared elected.

If one judge, only, is elected on any ballot, thereafter every legislator shall vote for one candidate till an election is made.

And the House has adopted the following resolution:
By Mr. Sherrod:

H. R. 174. Be it resolved that the Senate is hereby requested to return to the House, House bill No. 189, which was sent to the Senate without engrossment, and further that this request be immediately communicated to the Senate.

And the House requests the return of the bill, H. 189.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

The Senate, on motion of Mr. Lusk, concurred in the House joint resolution, H. J. R. 184 set out in the foregoing message from the House.

And, on motion of Mr. McWhorter, also concurred in H. J. R. 174, set out in the foregoing message from the House.

RECOMMITTAL OF BILL.

On motion of Mr. Strother, House bill:

H. 34. To provide means for the extension of the corporate limits of cities having twenty-five thousand inhabitants or over, and exempting from city taxation property brought within the corporate limits for certain periods of time, and fixing the rights, powers, duties, liabilities, and jurisdiction of the city over the territory brought into the corporate limits, and the rights of the inhabitants thereof, including rights relating to public schools, and to provide for the apportionment between a city and county of the road and bridge tax collected

by the county on property within the city, and the expenditure of the fund by the city.

Was recommitted and referred to the committee on Municipalities and Municipal Organization.

BILLS ON THIRD READING.

The bill:

~~S. 309. To provide for the protection, custody and maintenance of minor children under fourteen years of age whose parents or guardians are morally unfit.~~

Was read a third time, at length, and passed.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Blackmon	Horton	McWhorter	Strother
Davis	Jones	Overton	Teasley
Forrester	King	Reese	Thomas
Glenn	Lusk	Reid	White
Hamburger	Merritt	Reynolds	Wimberly
Hayes			

—21.

The bill:

H. 727. To provide for the appointment of an official stenographer for the city court of Montgomery, to prescribe his duties and to fix his compensation.

Was read a third time, at length, and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Barbour	Heacock	Lusk	Reid
Bayles	Horton	Merritt	Reynolds
Blackmon	Jones	Moody	Spragins
Davis	King	McWhorter	Teasley
Forrester	Leith	Overton	Thomas
Gunn	Lowe	Reese	Wimberly.
Hayes			

—25.

The bill:

H. 726. To fix the salary of the judge of the city court of Montgomery.

Was read a third time, at length, and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Lowe	Overton
Bayles	Heacock	Lusk	Reese
Blackmon	Horton	Merritt	Reynolds
Forrester	Jones	Miller	Spragins
Gunn	King	Moody	Teasley
Hamburger	Leith	McWhorter	Wimberly
Hamner			

—25.

The bill:

H. 278. To rearrange the boundaries of the town of Oxford in Calhoun county, Alabama.

Was read a third time, at length, and passed.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Lusk	Reese
Blackmon	Heacock	Merritt	Reid
Davis	Hinson	Miller	Reynolds
Forrester	Jones	Moody	Spragins
Gunn	King	McWhorter	Strother
Hamburger	Leith	Overton	Wimberly
Hamner	Lowe		

—26.

The bill:

H. 717. To require the sheriff of Hale county to procure from the office of the United States internal revenue collector for the State of Alabama, a list of the persons, firms or corporations in Hale county to whom a license has been issued for the sale of spirituous, vinous or malt liquors, and to publish same in some newspaper published in said county.

Was read a third time, at length, and passed.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Barbour	Hamburger	Jones	Lusk
Gardner	Hamner	King	Merritt
Glenn	Horton	Leith	Miller

Moody	Reese	Teasley	White
McWhorter	Reid	Thomas	Wimberly
Overton	Reynolds		—22.

The bill:

H. 96. To provide for the payment of certain fine and forfeiture funds in the hands of the clerk of the circuit court of ~~Cullman county, Alabama.~~

Was read a third time, at length, and passed.

Yeas, 30; nays, 0.

Yeas:

Messrs:

Barbour	Hamburger	Lowe	Reese
Bayles	Hamner	Lusk	Reid
Davis	Hayes	Merritt	Reynolds
Doster	Heacock	Miller	Teasley
Forrester	Horton	Moody	Thomas
Gardner	Jones	McWhorter	Wilson
Glenn	King	Overton	Wimberly
Gunn	Leith		

—30.

The bill:

H. 449. To change and define the boundary line of Bibb county, Alabama, between said county and the counties of Shelby and Jefferson.

The following amendment offered by the committee, to-wit:

Amend said bill by striking out all of section one (1) of said bill from and including the first word of said section, "That", to and including the last word of said section, "Counties", and insert in lieu therefor the following words, "That the boundary line between Bibb county, Alabama, and the counties of Shelby and Jefferson be and the same is hereby changed, defined, fixed and established as follows: Begin at the northeast corner of the southeast quarter of section twenty, township ~~twenty-four, north,~~ range twelve east, this said point of beginning being at the western boundary line of Chilton county, Alabama, and thence run west to the west line of said section twenty, thence run north to the southeast corner of section eighteen in said township

and range. Thence run west to the southeast corner of section thirteen, township twenty-four, range eleven, east; thence north to the northeast corner of the southeast quarter of S. E. 1-4 of said section thirteen; thence west to the northwest corner of S. E. 1-4 of S. E. 1-4 of said section 13; thence north to northeast corner of N. W. 1-4 of S. E. 1-4 of said section thirteen (13); thence run west to the northwest corner of the southwest quarter of said section thirteen; thence run north to the northeast corner of the southeast quarter of section eleven, in said township twenty-four, range eleven, east; thence run west to the west boundary line of said section eleven; thence run north to the northeast corner of section three, in said township twenty-four, range eleven, east; thence run westerly along the line known as "Freeman's line" to the southeast corner of fractional section twenty-nine, township twenty-two, south, range four, west; thence run north to the northeast corner of section five, township twenty-two, south, range four, west; thence run west to the southeast corner of the southwest quarter of the southeast quarter of section thirty-two, township twenty-one, range four, west; thence run north to the northeast corner of the southwest quarter of the southeast quarter of said section thirty-two; thence run west to the east boundary line of section thirty-six, township twenty-one, range five, west; thence run north to the northeast corner of the southeast quarter of said section thirty-six; thence run west to the southwest corner of the southwest quarter of the northeast quarter of section thirty-five, township twenty-one, range five, west; thence run north to the southwest corner of the northeast quarter of the southeast quarter of section twenty-three, township twenty-one, range five, west; thence run east to southeast corner of northeast quarter of southeast quarter of said section twenty-three; thence run north to northeast corner of southeast quarter of section fourteen, township twenty-one, range five, west; thence run west to southwest corner of southeast quarter of northeast quarter of said section fourteen; thence run north to township line between township twenty-one and township twenty, range

five, west; and thence run west along said township line to the Tuscaloosa county line—that is, to the line between Tuscaloosa and Bibb counties where it crosses said township line.”

Was adopted.

Yeas, 24; nays, 2.

Yeas:

Messrs:

Barbour	Gunn	Lowe	Reynolds
Bayles	Hamburger	Lusk	Spragins
Davis	Hayes	Merritt	Teasley
Forrester	Horton	McWhorter	Thomas
Gardner	Jones	Overton	White
Glenn	Leith	Reid	Wimberly

—24.

Nays: Messrs. Blackmon, Heacock—2.

And the bill, as thus amended, was read a third time, at length, and passed.

Yeas, 24; nays, 2.

Yeas:

Messrs:

Barbour	Gunn	Lowe	Reynolds
Bayles	Hamburger	Lusk	Spragins
Davis	Hayes	Merritt	Teasley
Forrester	Horton	McWhorter	Thomas
Gardner	Jones	Overton	White
Glenn	Leith	Reid	Wimberly.

—24.

Nays: Messrs. Blackmon, Heacock—2.

The bill:

H. 333. To make an appropriation for the expenses of encampment of the Alabama National Guard for the years 1907, 1908, 1909, 1910.

The following substitute, which was offered by the committee on Military, which is as follows, to-wit:

A BILL

To be entitled an act to make appropriations for the expenses of encampment, maneuvers and target practice of the Alabama National Guard for the years 1907, 1908, 1909, and 1910.

Section 1. Be it enacted by the Legislature of Alabama, That the sum of twenty-five thousand dollars for the fiscal year ending September 30th, 1907; and the sum of twenty-five thousand dollars for the fiscal year ending September 30th, 1908, and the sum of twenty-five thousand dollars for the fiscal year ending September 30th, 1909 and the sum of twenty-five thousand dollars for the fiscal year ending September 30th, 1910; or so much thereof as the governor, in his discretion may deem advisable or necessary, be and the same is hereby appropriated out of any moneys in the treasury not otherwise appropriated for the purpose of paying the expenses and cost of such encampment, maneuvers and such target practice at such places as the governor may determine, of the Alabama National Guard, as may be ordered during these years for the purpose of instruction and discipline, including in such expenses the transportation of officers and men to and from such camp or maneuvers and to and from target practice, as determined by the governor, if the target practice is not held contemporaneously with the encampment; the preparation and procurement and maintenance of target ranges and other expenses connected therewith, which the governor may deem legitimate and necessary.

Section 2. Be it further enacted, That the governor may if he deem expedient, use the sum of five thousand dollars of the amount herein appropriated or so much thereof as he may deem necessary, in the purchase, lease or acquirement of a site or sites for a target range, or target ranges; the number and location thereof to be determined by him, and for the proper equipment and conduct of the same, and may require the National Guard to attend target practice at such time and under such regulations as he may prescribe.

Section 3. Be it further enacted, That the governor shall make rules and regulations governing the disbursements of money under the provisions of this act, and all expenses authorized to be contracted by him shall be certified and verified by affidavit, and not paid to such officer or officers as the governor may direct.

Was adopted.

Yeas, 21; nays, 2.

Yeas:

Messrs:

Barbour	Hamburger	Jones	Overton
Bayles	Hayes	Merritt	Reynolds
Blackmon	Heacock	Miller	Spragins
Forrester	Hinson	Moody	Teasley
Glenn	Horton	McWhorter	Wimberly
Gunn			

—21.

Nays: Messrs. Davis, Lusk—2.

And the bill, as thus amended, was read a third time, at length, and passed.

Yeas, 14; nays, 5.

Yeas:

Messrs:

Blackmon	Hamburger	Merritt	McWhorter
Forrester	Haves	Miller	Reynolds
Glenn	Horton	Moody	Teasley
Gunn	Jones		

—14.

Nays:

Messrs:

Barbour	Lowe	Lusk	White
Davis			

—5.

The bill:

H. 748. To prohibit the sale, barter, giving away or otherwise disposing of spirituous, vinous or malt liquors, intoxicating drinks, bitters or beverages, in Franklin county, Alabama.

Was read a third time, at length, and passed.

Yeas, 25; nays, 0.

Yeas :

Messrs :

Barbour	Hayes	Lusk	Reese
Bayles	Heacock	Merritt	Reid
Blackmon	Jones	Miller	Reynolds
Davis	King	Moody	Spragins
Doster	Leith	McWhorter	Teasley
Forrester	Lowe	Overton	White
Gunn			

—25.

The bill :

S. 281. To amend section 2516 of the Code, relating to the improvement of navigable streams by the court of county commissioners, and conferring the power of eminent domain therefor.

Was read a third time, at length, and passed.

Yeas, 20; nays, 0.

Yeas :

Messrs :

Barbour	Glenn	Lowe	Overton
Bayles	Gunn	Lusk	Reynolds
Blackmon	Hayes	Merritt	Thomas
Davis	Heacock	Moody	White
Forrester	Jones	McWhorter	Wimberly

—20.

And the same was ordered sent forthwith to the House without engrossment.

The bill :

H. 372. To authorize cities, towns and other municipal corporations to make certain improvements on the sidewalks, streets, avenues, alleys, highways, or other public places of such city, town, or other municipal corporation, to construct sewers; to assess the cost of such improvements, of any part thereof, upon the property abutting such street, avenue, alley, highway, or other public place, or drained by such sewers, or against the right of way of any railroad so improved or drained by such sewers; to make such assessments a lien on such property, and to regulate appeals from such assessments; to provide methods for the enforcement of

such lien, and the payment of such assessment and penalties and to authorize the issue of bonds to pay for such improvements.

And the bill, as heretofore amended, was read a third time, at length, and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Bayles	Hayes	Lusk	Reynolds
Davis	Heacock	Merritt	Strother
Glenn	Jones	Miller	Thomas
Gunn	King	Moody	White
Hamburger	Leith	McWhorter	Wimberly
Hamner	Lowe	Overton	

—23.

H. 66. To regulate the sale of corn meal.

Was read a third time, at length, and passed.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Barbour	Hamburger	Lusk	Spragins
Blackmon	Hamner	Merritt	Strother
Davis	Hayes	McWhorter	Teasley
Forrester	Heacock	Overton	Thomas
Gardner	Jones	Reese	White
Glenn	King	Reid	Wimberly
Gunn	Lowe	Reynolds	

—27.

The bill:

S. 314. To provide for the taking of the census of the school children in the State of Alabama, and to provide punishment for the making of false enumerations.

Was read a third time, at length, and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Barbour	Heacock	Moody	Spragins
Blackmon	Jones	McWhorter	Strother
Gardner	King	Overton	Teasley
Glenn	Lusk	Reese	Thomas
Hamburger	Merritt	Reid	White
Hamner	Miller	Reynolds	Wimberly

—24.

And the same was ordered sent forthwith to the House without engrossment.

The bill:

S. 187. To make an appropriation for the marking and caring for the graves of the confederate soldiers in the State of Ohio.

Was taken up.

The following substitute was offered by the committee, to-wit:

A BILL

To be entitled an act to make an appropriation of three thousand two hundred and fifty dollars or so much thereof as may be necessary for erecting in the State of Ohio a confederate monument or monuments and for marking and caring for the graves of confederate soldiers interred in said State, and to appoint a commission to carry out said purpose.

Be it enacted by the Legislature of Alabama, as follows, to-wit:

Section 1. The sum of three thousand two hundred and fifty dollars or so much thereof as may be necessary, is hereby appropriated for the erection in the State of Ohio of a confederate monument or monuments and for marking and caring for the graves of confederate soldiers interred in said State.

Section 2. For the purpose of carrying out the provisions of this act a commission is hereby created to consist of the governor of Alabama, the director of the State department of archives and history, and the commander of the Alabama division of the United Confederate Veterans. Said commission is authorized to co-operate with other States of the South that provide similar funds, or with any organization having in view the purpose set out in this act, and said commission is authorized to spend said sum of money in any way it deems best for the promotion of the general purpose for which this appropriation is made.

Section 3. A majority of the commission shall constitute a quorum. The governor shall be the president

of the commission, and shall give notice to other members of the time and place of any and all meetings. The actual expenses, and only the actual expenses, of the members of said commission in attending the meetings thereof and in looking after the work herein directed shall be paid out of said fund.

Section 4. On the order of the president of said commission the State auditor is hereby directed to draw his warrant or warrants on the State treasurer for said sum, or parts of said sum, payable either to the president or secretary of said commission. Said commission shall make a report of its doings in the premises to the governor of the State, and he shall report the same to the Legislature from time to time.

Mr. Moody offered the following amendment to said substitute:

Amend the substitute by adding at the close thereof the following words: "Provided that this act shall not be construed as making it necessary for said commission to spend the money herein appropriated. But said commission is given full direction, as to whether it shall use said money or any part thereof, in the manner indicated in this act.

Pending the further consideration of said bill, the hour of 4:45 o'clock p. m. having arrived, and pursuant to a joint resolution heretofore adopted, Mr. Spragins made the following motion, to-wit: That the Senate repair to the Hall of the House of Representatives for the purpose of electing two judges of the city court of Birmingham, and that when the purposes of said convention have been accomplished and the same dissolved that the Senate stand adjourned until 7:30 o'clock p. m. tonight.

Which motion was carried.

JOINT CONVENTION.

The hour of 4:45 p. m. having arrived, pursuant to a House joint resolution heretofore adopted by the House and concurred in by the Senate, the Senate met with

the House in the Hall of the House of Representatives, to elect by joint ballot two judges of the city court of Birmingham.

The joint convention was called to order by the President of the Senate, who directed the secretary of the Senate to call the roll of the Senate. The following senators answered to their names, being a majority of the Senate of Alabama, viz.:

Messrs:

Barbour	Hamburger	Lowe	Reid
Bayles	Hamner	Lusk	Reynolds
Blackmon	Hayes	Merritt	Spragins
Davis	Heacock	Miller	Strother
Doster	Horton	Moody	Teasley
Forrester	Jones	McWhorter	Thomas
Gardner	King	Overton	White
Glenn	Leith	Reese	Wimberly
Gunn			—33.

The Speaker pro tem of the House directed the clerk of the House to call the roll of the House. The following members of the House of Representatives answered to their names, being a majority of the House of Representatives of Alabama, viz.:

Messrs:

Alford	Doyle (Clark)	Kirby
Armstrong	Dudley	Kornegay
Arrington	Edwards	Lacy (Dallas)
Ballard (Autauga)	Elrod	Lacy, (Walker)
Ballard (Pike)	Fuller	Lancaster
Baltzell	Glover	Lawson
Benners	Goodwyn	Lee (Etowah)
Bulger	Gunter	Lee (Houston)
Cannon	Haley	Lindsey
Carmichael (Clay)	Hoffman	Long (Butler)
Carmichael, (Colbert)	Hughston	Long (Morgan)
Coleman, (Lowndes)	Jenkins	Lyons
Coleman (Marshall)	John	Malone
Cooper	Johnson	Maner
Cranford	Killen	Middleton
Crum	King	Mitchell

Moore	Price	Smith (Lee)
McCrory	Pugh	Smith (Etowah)
McDuffie	Ragsdale	Smith (Franklin)
McMillan	Rainer	Steagall
Norville	Rattray	Thompson
Oliver	Rice	Tunstall
Parker	Rowe	Turner
Pearson	Rushton	Urquhart
Peete	Sample	Vann
Pitts, (Dallas)	Sanders	Weaver
Pitts (Perry)	Sanford	White (Lamar)
Powell (Bullock)	Seale	White (Perry)
Powell (Covington)	Sherrod	Williams
Power	Smith (Elmore)	Woolf
Pratt		

—91.

The President of the Senate then announced that there being a quorum of the Legislature of Alabama present, the joint convention was ready to proceed with the election of two judges of the city court of Birmingham, and that nominations were in order.

Mr. King, of the House, nominated Hon. C. C. NeSmith of Birmingham, for judge of the city court of Birmingham.

Mr. Miller, of the Senate, nominated Hon. H. A. Sharpe, of Birmingham, for judge of the city court of Birmingham.

Mr. Urquhart, of the House, nominated Hon. W. C. Garrett, of Birmingham, for judge of the city court of Birmingham.

Mr. Pitts, of Dallas, of the House, nominated Hon. A. C. Howze, of Birmingham, for judge of the city court of Birmingham.

Those who voted for Mr. NeSmith are of the Senate:

Messrs:

Barbour	Gunn	Lusk	Spragins
Bayles	Hamburger	Merritt	Strother
Blackmon	Heacock	Miller	Teasley
Davis	Jones	Moody	Thomas
Doster	King	Overton	White
Forrester	Leith	Reese	Wimberly
Gardner	Lowe	Reid	

—27.

And of the House:

Messrs:

Alford	King	Pratt
Arrington	Kornegay	Price
Ballard (Autauga)	Lacy, (Walker)	Pugh
Ballard (Pike)	Lancaster	Rainer
Benners	Lawson	Ratray
Bulger	Lee, (Etowah)	Rushton
Cannon	Lee (Houston)	Sample
Carmichael, (Colbert)	Long, (Butler)	Sanders
Coleman, (Lowndes)	Lyons	Sanford
Coleman, (Marshal)	Maner	Seale
Cooper	Middleton	Smith (Lee)
Cranford	Mitchell	Smith (Franklin)
Doyle (Clark)	Moore	Steagall
Dudley	McCrary	Thompson
Elrod	McDuffie	Tunstall
Fuller	McMillan	Turner
Glover	Norville	Urquhart
Goodwyn	Parker	Vann
Haley	Pitts, (Dallas)	Weaver
Henley	Pitts (Perry)	White (Lamar)
Hoffman	Powell (Bullock)	White (Perry)
Jenkins	Powell (Covington)	Williams
John	Power	Woolf
Johnson		

—70.

Those who voted for Mr. Sharpe are of the Senate:

Messrs:

Barbour	Hamburger	Lowe	Reynolds
Bayles	Hamner	Lusk	Spragins
Blackmon	Hayes	Merritt	Strother
Davis	Heacock	Miller	Teasley
Forrester	Horton	McWhorter	Thomas
Gardner	Jones	Reese	White
Glenn	Leith	Reid	Wimberly
Gunn			

—29.

And of the House:

Messrs:		
Armstrong	King	Ragsdale
Bulger	Kirby	Sample
Carmichael (Colbert)	Lacy (Dallas)	Sanford
Coleman (Marshal)	Lancaster	Sherrod
Cooper	Lawson	Smith (Elmore)
Glover	Lee (Etowah)	Smith (Lee)
Goodwyn	Long (Butler)	Smith (Etowah)
Gunter	Long (Morgan)	Smith (Franklin)
Haley	Lyons	Weaver
Henley	Malone	Williams
Hoffman	Oliver	Woolf
Jenkins	Peete	

—35.

Those who voted for Mr. Garrett are of the Senate:

Messrs:			
Glenn	Hamner	Horton	Overton

—4.

And of the House:

Messrs:		
Baltzell	Johnston	Pearson
Benners	Killen	Pratt
Carmichael (Clay)	Kirby	Price
Crum	Kornegay	Ragsdale
Edwards	Lacy (Dallas)	Rowe
Fuller	Lindsey	Rushton
Gunter	Middleton	Smith
Hughston	Norville	Smith (Etowah)
John	Oliver	Urquhart

—26.

Those who voted for Mr. Howze are of the Senate:

Messrs:			
Doster	King	McWhorter	Reynolds
Hayes	Moody		

—6.

And of the House:

Messrs:		
Alford	Arrington	Ballard (Pike)
Armstrong	Ballard (Autauga)	Baltzell

Cannon	Malone	Pugh
Carmichael (Clay)	Maner	Rainer
Coleman (Lowndes)	Mitchell	Rattray
Cranford	Moore	Rowe
Crum	McCrory	Sanders
Doyle (Clark)	McDuffie	Seale
Dudley	McMillan	Sherrod
Edwards	Parker	Smith (Elmore)
Elrod	Pearson	Steagall
Hughston	Peete	Thompson
Killen	Pitts (Dallas)	Tunstall
Lacy (Walker)	Pitts (Perry)	Turner
Lee (Houghston)	Powell (Bullock)	Vann
Lindsey	Powell (Covington)	White (Lamar)
Long (Morgan)	Power	White (Perry)

—51.

The Speaker pro tem of the House then announced that Mr. NeSmith had received ninety-seven (97) votes; Mr. Sharpe had received sixty-four (64) votes; Mr. Garrett had received thirty (30) votes, and that Mr. Howze had received fifty-seven (57) votes.

The Speaker pro tem of the House then proclaimed that Hon. C. C. NeSmith and Hon. H. A. Sharpe both having received a majority of all the votes cast, they were duly and constitutionally elected judges of the city court of Birmingham for the term prescribed by law.

The President of the Senate then announced that the purpose of the joint convention having been accomplished, the same was dissolved, and the Senate returned to its chamber, and under a motion heretofore adopted the Senate stood

ADJOURNED

until 7:30 o'clock tonight.

NIGHT SESSION.

The Senate reassembled at 7:30 o'clock p. m.

ROLL CALL.

On a call of the roll a quorum of the Senators answered to their names.

UNFINISHED BUSINESS.

~~The Senate resumed the consideration of the unfinished business of the afternoon session, which was:~~

S. 187. To make an appropriation for the marking and caring for the graves of the confederate soldiers in the State of Ohio.

And the substitute therefor offered by the committee and the amendment to said substitute offered by Mr. Moody.

The said amendment so offered by Mr. Moody to said substitute was taken up and adopted.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Merritt	Reese
Bayles	Hayes	Miller	Reynolds
Blackmon	King	Moody	Teasley
Davis	Leith	McWhorter	Thomas
Doster	Lusk	Overton	White
Glenn			

—21.

And said substitute offered by the committee as thus amended, was then adopted.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Merritt	Reese
Bayles	Hayes	Miller	Reid
Blackmon	King	Moody	Teasley
Davis	Leith	McWhorter	Thomas
Doster	Lowe	Overton	White
Glenn	Lusk		

—22.

And said bill, as thus amended, was read a third time, at length, and passed.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Miller	Reid
Bayles	Hayes	Moody	Reynolds
Blackmon	King	McWhorter	Teasley
Davis	Leith	Overton	Thomas
Doster	Lusk	Reese	White
Glenn	Merritt		

—22.

And said bill was ordered sent forthwith to the House without engrossment.

The bill:

S. 358. To provide for the extension of the corporate limits of cities and towns having one thousand inhabitants or more, and fixing the rights, powers, duties, liabilities and jurisdictions of the city or town over the territory brought into the corporate limits, and the rights of the inhabitants thereof, and to provide for the apportionment between the city or town and county of the road and bridge tax collected by the county or the property within the city, and the expenditure of the funds by the city.

Was taken up.

Mr. Miller offered the following amendment, to-wit:

"Amend S. 358 by adding thereto section 11 as follows:

"Section 11. After an election has been held in any territory under the provisions of this or any other act or law, no other or subsequent election shall be ordered or held for the same territory, or any part thereof within six months next after said election."

Which was adopted.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Miller	Strother
Bayles	Hamburger	McWhorter	Teasley
Blackmon	King	Overton	Thomas
Davis	Leith	Reese	White
Doster	Lusk	Reynolds	Wilson
Glenn	Merritt		

—22.

And said bill was ordered to a third reading.

Mr. Reynolds moved to reconsider the vote by which said bill was ordered to a third reading. Which motion prevailed.

Mr. Reynolds then offered the following amendment:

“Amend the bill by striking out the words ‘one thousand and inhabitants,’ and insert in lieu thereof the words ‘four hundred inhabitants’ wherever the same occurs in the title or body of the bill.”

Which was adopted.

Yeas, 19; nays, 0.

Yeas:

Messrs:

Barbour	Leith	McWhorter	Teasley
Bayles	Lusk	Overton	Thomas
Davis	Merritt	Reese	White
Hamburger	Miller	Reynolds	Wilson
King	Moody	Strother	

—19.

And said bill, as thus amended, was read a third time, at length, and passed.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Barbour	King	Moody	Strother
Bayles	Leith	McWhorter	Teasley
Davis	Lusk	Overton	Thomas
Glenn	Merritt	Reese	White
Hamburger	Miller	Reynolds	Wilson
Hayes			

—21.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has received the following message from his excellency, the governor:

To the House of Representatives:

I herewith return House bill No. 136 entitled an "Act to establish the Lee county court of law and equity, prescribe its jurisdiction and powers, its rules of practice and procedure, provide for the selection of its officers, prescribe their powers, duties, compensation and term of office, fix the time of holding said court, and provide for fees, commissions, fines, forfeitures and juries in said court, provide for supplies for said court, and repeal conflicting laws," and propose the following amendments:

Amend section 2 by adding after the words "twenty-five hundred dollars" the words "per annum." Amend section 6 in the sixth line thereof by inserting after the word "them" and before the word "time" the words "in term."

B. B. Comer,
Governor.

And the House has adopted and concurred in the amendment proposed by the governor to the bill, House bill 136, by a majority vote of the whole House, the vote on said proposed amendments being: Yeas, 65; nays, 0.

And the House herewith sends the same to the Senate for its consideration.

Cyrus B. Brown,
Clerk.

GOVERNOR'S MESSAGE.

On motion of Mr. Glenn, the Senate adopted and concurred in the amendments proposed by the governor to House bill No. 136. The title of which and the amendment proposed thereto are set out in the foregoing message from the House.

Yeas, 22; nays, 0.

Yeas :

Messrs :

Barbour	Hamburger	Miller	Reynolds
Bayles	Hayes	Moody	Strother
Blackmon	King	McWhorter	Thomas
Davis	Leith	Overton	White
Gardner	Lusk	Reese	Wilson
Glenn	Merritt		

—22.

Which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has received the following message from his excellency, the governor:

To the House of Representatives:

I herewith return House bill No. 167, entitled "An act to authorize the establishment of State depositories for the State funds; to authorize State and county officers to deposit State funds therein; to provide for the regulation and control of such depositories; to provide security for the funds deposited therein; and to provide penalties for the violations of the rules and regulations prescribed for the establishment, management and control of such institutions," and propose the following amendments:

Amend section 10 by adding after the words "cease and" and before the words "but before" the word "determine." Amend section 13 by adding after the words "they may" and before the words "funds into" the words "pay such," and add to section 13 the following words: "And the State treasury by and with the approval of the governor, may place all such funds or any part thereof so paid to him, or any other funds that he may have at any time on hand, in any one or more of the State depositories under the same rules and regulations governing other deposits made under this act." Also amend by adding section 15 as follows: "That this act shall

go into effect immediately upon its passage and approval."

B. B. Comer,
Governor.

And the House has concurred in and adopted the amendment proposed by the governor to the bill, House bill 167, by a majority of the whole House, the vote on said amendment being: Yeas, 71; nays, 0.

And the House herewith sends the same to the Senate for its consideration.

Cyrus B. Brown,
Clerk.

GOVERNOR'S MESSAGE.

On motion of Mr. Overton, the Senate adopted and concurred in the amendments proposed by the governor to House bill No. 167, the title of which, and the proposed amendments thereto, are set forth in the foregoing message from the House.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Barbour	Hamburger	Miller	Reynolds
Bayles	Hayes	Moody	Strother
Blackmon	King	McWhorter	Thomas
Davis	Leith	Overton	White
Gardner	Lusk	Reese	Wilson
Glenn	Merritt	Reid	

—23.

Which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following bills:

S. 226. To make an appropriation for the Confederate Soldiers' Home at Mountain Creek, Alabama, and for other purposes.

And sends same herewith to the Senate.

S. 136. To further regulate the financial affairs of Dallas county.

And sends same herewith to the Senate.

And the House has originated and passed the following bills and ordered same sent forthwith to the Senate without engrossment:

H. 704. To amend section 2206 of the Code of 1896.

~~And sends same herewith to the Senate.~~

H. 812. To amend section eight (8) of an act entitled an act to amend, reconstruct, and provide for the enforcement of the laws relating to the public health.

And sends same herewith to the Senate.

H. 58. For the relief of needy confederate soldiers and sailors, resident citizens of Alabama, and their widows.

And sends same herewith to the Senate.

And the House has concurred in the Senate amendment to the bill:

H. 108. To amend an act to regulate the registration, branding, sale, tagging and analysis of commercial fertilizer, acid phosphate, fertilizer materials and chemicals, in the State of Alabama, approved March 3rd. 1903.

And the House has concurred in the Senate amendment to the bill:

H. 107. To prohibit the sale of adulterated cotton seed meal as fertilizers, to have the same analyzed and a guaranteed analysis printed on tags and tags attached to the bags containing the same, and in case of sales in bulk to have such analysis set forth in the contract of sale, and providing that all sales of such meal, which does not contain the ingredients represented shall be void, and that any money paid for same may be recovered by the purchaser.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

The House bills in the foregoing House message were severally read once and referred to appropriate standing committees as follows:

H. 704, to Revision of Laws.

H. 812, to Public Health.

H. 58, to Finance and Taxation.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the amendment proposed by the governor to the bill, Senate bill 48, "To create the fifteenth judicial circuit for the State of Alabama, to be composed of the counties of Autauga, Chilton, Elmore and Montgomery; to confer equity jurisdiction on said court as to matters arising in Autauga, Elmore and Chilton counties, and to provide for registers in chancery therein; to provide for the appointment and solicitor for said court, and for the removal of pending causes and the remanding of pending appeals to the new court; to regulate the convening of grand and petit juries in said circuit, and to authorize the judge of said circuit court to adopt reasonable rules of practice to facilitate the business of the court," by a majority vote of the whole House, the vote on said amendment being: Yeas, 68; nays, 0.

Cyrus B. Brown,
Clerk.

INDEFINITE POSTPONEMENT OF BILL.

On motion of Mr. Reynolds, the further consideration of:

S. 151. To provide for the disposition of certain fees and costs which have been or may be received by certain officers in this State.

Was indefinitely postponed.

BILLS ON THIRD READING.

The bill:

S. 132. To provide for the sale of certain narcotic drugs.

Was taken up.

Mr. Hayes moved to recommit said bill.

~~Mr. Reese moved to lay Mr. Hayes' motion to recommit on the table, which motion prevailed.~~

Yeas, 12; nays, 8.

Yeas:

Messrs:

Barbour	Gardner	Lusk	McWhorter
Davis	Hamburger	Merritt	Reynolds
Doster	King	Moody	Teasley

—12.

Nays:

Messrs:

Glenn	Overton	Strother	White
Hayes	Reese	Thomas	Wilson
Leith			

—8.

Mr. Reese then offered the following amendment to said bill:

Amend by striking out the word "morphine" wherever the same appears in the bill.

Which, on motion of Mr. King, was laid on the table.

Yeas, 11; nays, 8.

Yeas:

Messrs:

Barbour	Hamburger	Merritt	Reynolds
Davis	King	Moody	Thomas
Doster	Lusk	Reese	Wilson

—11.

Nays:

Messrs:

Bayles	Glenn	McWhorter	Strother
Gardner	Leith	Overton	White

—8.

Mr. Strother then moved to lay said bill on the table. Which motion was lost.

Yeas:
Messrs:
Gleann Leith Strother White
—4.

Nays:
Messrs:
Barbour Hamburger Merritt Reynolds
Bayles Hayes Moody Teasley
Davis King McWhorter Wilson
Doster Lusk
—14.

And said bill was then ordered to a third reading.

Mr. McWhorter moved to reconsider the vote by which said bill was ordered to a third reading.

Which motion prevailed. And Mr. Merritt offered the following amendment:

Amend by striking out the words "or any preparation containing any cocaine, or salts of cocaine or eucaine, or its salts" where they occur in said bill.

Which was adopted.

Yeas, 14; nays, 5.

Yeas:

Messrs:

Barbour Hamburger McWhorter Thomas
Bayles Hayes Reese White
Davis Merritt Strother Wilson
Doster Moody
—14.

Nays:

Messrs:

Glenn Lusk Miller Overton
King
—5.

Mr. Thomas offered the following amendment:

Amend the title by striking out the words "provide for" and insert in lieu thereof the words "regulate."

Which was adopted.

Yeas, 17; nays, 1.

Yeas:
Messrs:

Barbour	Glenn	Lusk	McWhorter
Bayles	Hamburger	Merritt	Reese
Davis	Hayes	Miller	Thomas
Doster	King	Moody	Wilson

—17.

Nays: Mr. Overton—1.

Said bill was read a third time, at length, and lost, for the want of a quorum voting.

Yeas, 17; nays, 0.

Barbour	Glenn	Lusk	McWhorter
Bayles	Hamburger	Merritt	Reese
Davis	Hayes	Miller	Thomas
Doster	King	Moody	Wilson

—17.

ADJOURNMENT.

On motion of Mr. Thomas, at 9:20 o'clock p. m., the Senate adjourned until 10 o'clock tomorrow morning.

THIRTY-FOURTH DAY.

Friday, March 1st, 1907.

The Senate met pursuant to adjournment.
Prayer by Rev. Dr. Brewer, of the city.

ROLL CALL.

Present:
Mr. President, and,
Messrs:

Barbour	Forrester	Hamner	Jones
Bayles	Gardner	Hayes	King
Blackmon	Glenn	Heacock	Leith
Davis	Gunn	Hinson	Lowe
Doster	Hamburger	Horton	Lusk

Merritt	Overton	Spragins	White
Miller	Reese	Strother	Wilson
Moody	Reid	Teasley	Wimberly
McWhorter	Reynolds	Thomas	

—35.

JOURNAL.

On motion of Mr. Hayes the reading of the Journal of yesterday was dispensed with and the same was approved.

PRIVILEGES OF THE FLOOR.

The privileges of the floor were extended to Messrs. M. A. Epsey, Jno. L. Molton, A. A. Coleman, Mr. O. Haveron, for today.

REPORT FROM RULES COMMITTEE.

Mr. Gardner from Rules committee, reported favorably the resolution introduced by Mr. Lusk as follows:

Resolved, That House bill 611 be made a special continuing exclusive order for immediate consideration until disposed of, and that immediately thereafter House bill No. 614 be made a like order.

Which report was adopted and, bills

H. 611. To further provide for the revenue of the State, by requiring all foreign corporations authorized to do business in this State under the laws of the State of Alabama, to pay an annual franchise tax.

And,

H. 614. To make subject to taxation in this State money lent, solvent credits and credits of value and moneyed capital.

Were made special continuing exclusive orders for immediate consideration until disposed of in the order named.

INTRODUCTION OF BILLS.

By Mr. Reynolds:

S. 378. To regulate the giving of testimony and furnishing evidence before any committee of the Legislature of Alabama.

Judiciary.

~~By Mr. Hamburger:~~

S. 379. To regulate the public oyster reel and beds in the waters of Alabama; to provide for the establishment of a board of oyster commissioners to prescribe their duties, and provide for their compensation, to regulate the manner of taking and catching oysters on such public reefs and private bedding grounds, and to be prescribed the measure of oysters in the shell to prescribe license fees for oysters catchers; and for boats engaged in taking and catching oysters, and to fix and prescribe a tax upon oysters canned and packed in this State, to provide for the protection and patrol of oyster grounds, to fix penalties for the violation of any of the provisions of this act, and to repeal section 3160 of the code of Alabama, and to repeal section 3159 of the code as amended by the act, approved October 3, 1903.

Military.

By Mr. Hamburger:

S. 380. To appropriate the sum of \$20,000.00 for the years 1907, 1908, 1909 and 1910 to be used by the Alabama oyster commission in spreading oyster shells and other suitable material for the establishment of new oyster reefs and oyster beds and planting oysters in said new beds and reefs and in dredging cultivating and improving the natural oyster reefs and beds in the waters of Alabama.

Finance and Taxation.

By Mr. Reese:

S. 381. To regulate the charges on excess baggage personal; and ~~excess baggage~~ merchandise, on all railroads over ten miles in length propelled by steam and electricity, between points in this State.

Commerce and Common Carriers.

By Mr. Thomas:

S. 382. To amend section 3 of an act entitled an act to provide for the appointment of a joint committee to read and revise the manuscript of the new code prepared by Hon. James J. Mayfield, and to prescribe its powers and duties and to fix the compensation of the committee and clerks and provide for their pay and expenses approved February 15th, 1907.

Judiciary.

REPORTS OF COMMITTEES.

Mr. Miller, chairman of the standing committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report.

H. 581. To fix the salary of the judge of the police court of the city of Birmingham, Alabama.

Mr. Reynolds, chairman of the standing committee on Education, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report.

S. 323. To aid in the establishment of libraries in free public schools of this State.

Also,

S. 317. To amend sections 6, 9, 10, 16, 17, 19, and 20 of an act entitled an act to provide for the redistricting of the public schools of the State and for the management and control of the same, approved September 30th, 1903.

Also, with amendment,

H. 365. To classify the public schools of Alabama and to name the branches of study to be taught in the same.

Also,

H. 692. To amend sections 6, 9, 10, 16, 17, 19 and 20 of an act entitled an act to provide for the redistricting of the public schools of the State and for the management and control of the same, approved September 30th, 1903.

Mr. McWhorter, chairman of the standing committee on Temperance, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report.

H. 478. To prohibit the sale, giving away, or otherwise disposing of alcoholic, spirituous, vinous or malt liquors, intoxicating bitters, wines, or fruits preserved in such intoxicants within precinct number 17, known as Warrior precinct in the county of Jefferson, State of Alabama, and to repeal the present local law for the town of Warrior under which saloons are now operated.

Also,

H. 607. To prevent the sale of intoxicating liquors within certain limits in the corporate limits of the city of Talladega and to punish violations of the same.

Also,

H. 566. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors or other intoxicating drinks within five miles of Foley and within two and one-half miles of the Episcopal church at Magnolia Springs, Alabama.

Also,

H. 619. To repeal an act entitled an act, to prohibit the sale or giving away of alcoholic, spirituous, vinous or malt liquors within 6 miles of Nances Creek Methodist church in Calhoun county, Alabama, or within the limits of precinct twelve, Coffee county; or within the limits of Carpenter's precinct in Jackson county; or within four miles of Mt. Nebo church in precinct twenty-seven; Thompson's Camp Grounds or Holy Tree in Bishop's precinct, all within the county of Jackson, or within four miles of the public school building in the city of Bridgeport, in the county of Jackson, or within three miles of Weeping Mary church in beat eight, Lee county; or within three miles of Friendship Baptist church in Crenshaw county; or within three miles of Zada church, Rama church, Union Hill church, precinct two, Henry county; or within two miles of Mary Baptist church, precinct or beat fourteen, in Tallapoosa county; or within five miles of Pleasant Grove Baptist church in precinct nine, in Henry county; or within

township twenty, range twenty-three in Tallapoosa county; or within four miles of Liberty Baptist church and Young's Chapel Methodist church, Etowah county; or within two miles of Green Hill church, and school house of Green Hill in Lauderdale county; or within Ashville beat, No. 1, in St. Clair county; or within three miles of Pierce's Chapel M. E. church, beat 7, Lee county; or within two miles of Clintonville academy in Coffee county; or within three miles of White Oak M. E. church, beat 5, in Barbour county; or within three miles of Cave Springs Baptist church, beat 11, in Etowah county; or within three miles of Marvin Chapel church in Pickens county; or within beat nine, in Limestone county; all of the within places are within the State of Alabama, and within five miles of Smith's Chapel, Jackson county; or within the corporate limits of the town of Guin, in Marion county; or within five miles of Canaan church and Woodland church, in Lauderdale county; and to repeal all laws heretofore passed prohibiting the sale, giving away or otherwise disposing of alcoholic, vinous or malt liquors, or other intoxicating drinks or beverages, or fruits preserved in alcoholic liquors within five miles of Pierce Chapel Methodist church in beat 7, Lee county, so far as said laws relate to the territory within five miles of Pierce Chapel Methodist church, passed by the General Assembly of Alabama 1892-1893, and approved on the 21st day of February, 1893, in so far as the same relates to the prohibition of the sales or giving away of alcoholic, spirituous, vinous or malt liquors, within three miles of Zada church, Rama church and Union Hill church, in Houston county, Alabama."

Also,

H. 655. To establish a dispensary in and for the town of Dayton in the county of Marengo, State of Alabama, and to provide for the conduct and regulation of the same.

Mr. Merritt, chairman of the standing committee on Local Legislation, reported that said committee, in ses-

sion, had acted on the following bills and ordered same returned to the Senate with a favorable report.

S. 375. To repeal an act entitled an act to incorporate the town of Hayneville.

Also,

H. 799. To provide for the working, repairing, maintaining and improving the public roads of Pickens county, Alabama

Also,

H. 846. To authorize the commissioners court of Conecuh county to divide said county into road precincts and to appoint road overseers to have supervision of the public roads in said county, and to direct and prescribe the duties of said overseers and the duties of road apportioners in said county, and to provide for and define the duties of said overseers and apportioners and to authorize the commissioners court of Conecuh county to purchase for said county the necessary teams, tools, road machines, implements and plows to be used for constructing, repairing, working and improving the public roads in said county and to provide for the construction and improvement of the public roads of Conecuh county and to prescribe who shall work on the public roads in Conecuh county and to provide for a road tax in lieu of work on the public roads of Conecuh county and to provide for the appropriation of funds by the commissioners court of Conecuh county for the construction, repairing, working and improving the public roads in said Conecuh county; to prevent the obstruction of and damage to the public roads of Conecuh county and to prescribe punishment for obstructing or damaging the public roads in Conecuh county.

Also,

H. 557. To amend an act, entitled an act to amend an act entitled an act, to regulate the issue of garnishments and the proceedings thereon in the county of Morgan, approved Dec. 9, 1896, so that said act will read as follows:

Also,

H. 756. To amend section one of an act entitled an act to incorporate the town of Sulligent in the county

of Lamar, State of Alabama approved February 12th, 1897.

Also,

H. 654. To relieve Cyrus Jones, Jr., as the only legal heir of Cyrus Jones, Sr., Dec'd., by refunding to him money amounting to \$250.20 belonging to the estate of the said Cyrus Jones, Sr., deceased, which escheated to the State of Alabama for lack of a claimant as shown by the minute entries of the probate court of Madison county, Alabama, Vol. 30, page 42, and further evidenced by Treasurer's receipt No. 510 A. D., 1905.

Also,

H. 699. To repeal an act entitled an act to provide for the running at large of domestic live stock in the precincts of Hazel Green and all that section of Hurricane lying north of the line that formerly divided the precinct of Hurricane from the precinct of Maysville, Madison county, approved February 9th, 1901.

Also,

H. 725. To amend section 3 of an act entitled an act to regulate the trial of misdemeanors in the county of Macon, approved February the 18th, 1891.

H. 222. To amend section two (2) of an act to establish the inferior court of Demopolis precinct, Marengo county, Alabama, in lieu of all justices of the peace therein to be called city court of Demopolis approved September 26th, 1903, and by adding section 14 to said act.

Also,

H. 793. To fix the salary of the chancellor of the northwestern chancery Division of Alabama, at the sum of forty-five hundred \$4,500, dollars per annum and to provide for the payment of as much thereof out of the State treasury as shall be paid to other chancellors, and for the payment of the remainder thereof out of the treasury of Jefferson county.

Also,

H. 630. To amend an act to incorporate the town of Jackson, Clarke county, Alabama, approved February 15th, 1897.

Also,

H. 787. To fix the time of holding the circuit court in the counties of Perry and Bibb.

Mr. Hamburger, chairman of the standing committee on Military, reported that said committee in session had acted on the following bills and ordered same returned to the Senate with a favorable report:

S. 367. To dissolve the board of trustees of the Medical College of Alabama and to vest the ownership and control of the property of the Medical College in the board of trustees of the University of Alabama.

Also,

S. 377. To exempt members of volunteer fire companies, in incorporated towns and cities, from military and jury duties and from the payment of poll and street taxes, and to provide for their incorporation.

Mr. Reynolds, chairman of the standing committee on Education, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report:

S. 324. To provide for the establishment of high schools in this State, and to make appropriations for the maintenance thereof and to provide for the operation of said schools.

Mr. Miller, chairman of the standing committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:
(With amendment.)

H. 769. To better provide for the revenue of the State and the more efficient assessment and collection of taxes and for this purpose to create a commission to be known as the State Tax Commission of Alabama; and to prescribe the powers and duties of said commission and its mode of procedure, and to abolish the office of State Tax Commissioner.

Also, (with amendment):

H. 741. To make subject to taxation and to tax the franchises, or intangible property and assets of every person, association, company and corporation engaged as common carrier in this State in the business of trans-

porting persons or property over any railroad, including street railroads, or in the business of operating any cars over any railroad for the transportation of freight or passengers, including sleeping cars, parlor or palace cars, dining cars, chair cars, tank cars, and cars of any other kind; or engaged in operating for gain any telegraph or telephone lines or plant or business; or in operating any plant or business for the production, manufacture, distribution or sale of gas, water, electricity, electric power, electric light, steam heat, oil, refrigerated air, or other like substances, by means of pipes, wires, or conduits passing on, over, under or through any territory, street alley or highway in this State; or in the business of operating for gain, dockage, wharfage, canal, freight or passenger depots, stations or terminals, or engaged in any other business which may be dependent upon the grant of public powers or privileges, or which may involve the operation of any public utility; and to provide for the valuation and manner of ascertaining the values of such franchises, or intangible properties, and the distribution of the same for local taxation, and the levy, assessment and collection of said taxes thereon.

Also, (with amendment) :

H. 610. To further amend the revenue laws of the State of Alabama.

Also,

H. 238. To authorize the commissioners' court of Baldwin county to surrender and convey the county buildings and grounds at Daphne to the trustees of a normal school to be established in said county.

Also, (with amendment) :

H. 615. To amend sections 1321 and 1322 of the Code of 1896.

The foregoing bills contained in said committee reports were severally read a second time and placed on the calendar.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has adopted the following House joint resolution No. 193:

By Mr. Bulger:

~~"Resolved by the House, the Senate concurring, that a committee of five, three from the House and two from the Senate, be appointed whose duty it shall be to examine and compare House bill 58, and substitute to same, and Senate bills 122 and 123, all of which bills relate to the appropriation and distribution of the fund known as the confederate veteran fund and report as practicable, a bill or substitute that will meet the demands and satisfy all concerned, and that said committee be authorized to sit during the session."~~

Committee on part of House: Messrs. Bulger, Houston and McCrory.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

The Senate concurred in H. J. R. No. 193, set out in the foregoing message from the House. And the President appointed as committee on part of the Senate, Messrs. Jones and Reese.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker of the House having signed the following House bills, your signature thereto is requested:

H. 24. To make appropriations for the support and maintenance of the public schools of the State.

H. 108. To amend an act to regulate the registration, branding, sale, tagging, and analysis of commercial fertilizer, acid phosphate, fertilizer materials and chemicals, in the State of Alabama, approved March 3rd, 1903.

Cyrus B. Brown,
Clerk.

SIGNING BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read at length by the secretary, signed the above House bills, the titles of which are set out in the foregoing message from the House. The reading at length of said bills having been dispensed with, by a two-thirds vote of a quorum of the Senate present.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bill and has ordered same sent forthwith to the Senate without engrossment:

H. 189. To fix the minimum length of the term of the public schools in the State of Alabama.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

The House bill in the foregoing House message was read once and referred to appropriate standing committee as follows:

H. 189, to Education.

REPORT FROM COMMITTEE ON ENGROSSED BILLS.

Mr. Spragins, from the committee on Engrossed Bills reported as follows:

The Committee on Engrossed Bills report that they have examined Senate bills numbered 309, and compared them with the original bills respectively and found them to be correctly engrossed.

March 1st, 1907.

Robt. E. Spragins,
Chairman.

RECONSIDERATION OF VOTE.

On motion of Mr. Merritt the vote by which Senate bill:

S. 132. To provide for the sale of certain narcotic drugs.

Was lost on yesterday, was reconsidered, and the bill was passed.

Yeas, 19; nays, 5.

Yeas:

Messrs:

Barbour	Gardner	King	McWhorter
Bayles	Hamburger	Lusk	Thomas
Davis	Hayes	Merritt	Wilson
Doster	Heacock	Moody	Wimberly
Forrester	Jones		

—19.

Nays:

Messrs:

Glenn	Spragins	Strother	White
Leith			

—5.

And the same was ordered sent forthwith to the House without engrossment.

TO TAKE FROM ADVERSE CALENDAR.

Pursuant to notice heretofore given, Mr. McWhorter made a motion to take from adverse calendar:

S. 61. To establish a colony for epileptics in Alabama and to provide means for carrying the same into effect.

And read a second time and placed on the calendar.

Carried.

And on motion of Mr. McWhorter, 300 copies of said bill were ordered printed for the use of the Senate.

BILLS ON THIRD READING.

The bill:

H. 330. To establish an immigration board for the State of Alabama, to define its duties, to appropriate

money to pay the expenses for carrying out its provisions, to provide for the appointment of an immigration commissioner, to define his duties and to fix his compensation.

The following amendment offered by the committee, to-wit:

Amend by adding section 10 next after section 9 to read as follows:

Section 10. Be it further enacted, That for the purpose of carrying out the provisions of section 3, of this act, so far as it relates to the encouragement of immigration to this State, traveling expenses of the immigration commissioner when necessary and acting under the direction of immigration board, there shall be appropriated out of the general funds the sum of five thousand dollars annually or so much thereof as may be necessary.

Also amend so as to number subsequent sections consecutively.

Was adopted.

Yeas, 18; nays, 8.

Yeas:

Messrs:

Bayles	Hayes	Merritt	Reynolds
Doster	Heacock	Overton	Thomas
Glenn	Horton	Reese	Wilson
Gunn	Jones	Reid	Wimberly,
Hamburger	King		

—18.

Nays:

Messrs:

Barbour	Forrester	Lusk	Strother
Blackmon	Hamner	McWhorter	White

—8.

PAIRS.

Messrs. Leith, Gardner and Moody were paired with Messrs. Davis, Teasley and Spragins, respectively, the former would vote nay and the latter yea on the foregoing amendment.

Mr. Gunn offered the following amendment, to-wit:
Amend by striking out of section 8 the words "north-
ern Italy and Spain."

Which was adopted.

Yeas, 24; nays, 4.

Yeas:

Messrs:

Barbour	Gunn	King	Reynolds
Bayles	Hamburger	Lusk	Spragins
Blackmon	Hayes	Merritt	Thomas
Doster	Heacock	Overton	White
Gardner	Horton	Reese	Wilson
Glenn	Jones	Reid	Wimberly

—24.

Nays:

Messrs:

Forrester	Hamner	McWhorter	Strother
-----------	--------	-----------	----------

—4.

Mr. Merritt offered the following amendment, to-wit:
Amend section 9 by adding after the word "misde-
meanor" in the last line of said section the words "and
upon conviction shall be fined not less than \$1,000.00,"
and by striking out the words in said section "of not
less than five hundred dollars."

Which amendment was adopted.

Yeas, 20; nays, 8.

Yeas:

Messrs:

Barbour	Hamner	Leith	Reid
Bayles	Hayes	Lusk	Reynolds
Glenn	Horton	Merritt	Spragins
Gunn	Jones	Moody	Thomas
Hamburger	King	Overton	Wilson

—20.

Nays:

Messrs:

Blackmon	Forrester	Heacock	Strother
Doster	Gardner	McWhorter	White

—8.

And the bill, as thus amended, was read a third time, at length, and passed.

Yeas, 19; nays, 6.

Yeas:

Messrs:

Bayles	Hayes	Merritt	Reynolds
Doster	Heacock	McWhorter	Spragins
Glenn	Horton	Overton	Thomas
Gunn	Jones	Reese	Wilson
Hamburger	King	Reid	

—19.

Nays:

Messrs:

Blackmon	Hamner	Moody	Strother
Forrester	Lusk		

—6.

PAIRS.

Messrs. Gardner and Leith were paired with Messrs. Teasley and Davis, respectively, the former would vote nay and the latter yea.

SPECIAL ORDER.

On motion of Mr. Thomas, House bill:

H. 668. To provide for the participation of the State of Alabama in the Jamestown Exposition to be held on and near the waters of Hampton Roads, in the State of Virginia, in the year nineteen hundred and seven, in commemoration of the first permanent settlement made in the United States, by English speaking people, in the year sixteen hundred and seven.

Was made a special order for Saturday, Mar. 2, 1907, at 11 o'clock a. m.

On motion of Mr. Wilson, House bill:

H. 764. To provide for the employment and pay of a servant for the supreme court.

Was made a special order for 12 o'clock m. Saturday, Mar. 2, 1907.

RECESS.

The hour of one o'clock having arrived the Senate recessed until 3 o'clock this afternoon.

AFTERNOON SESSION.

Senate reassembled at 3 o'clock p. m.

ROLL CALL.

On a call of the roll a quorum of the Senate was present.

MESSAGE FROM THE GOVERNOR.

Montgomery, Ala., Feb. 28, 1907.

To the Senate:

I hereby submit for the advice and consent of the Senate the following appointments:

1st, Louis V. Clark for Brigadier-General of the Alabama National Guard for a term beginning April 17, 1905.

2nd, Robert F. Ligon for Inspector General of the Alabama National Guard with the rank of Brigadier General.

3rd, Barry L. Holt for Quartermaster General of the Alabama National Guard with the rank of Brigadier General.

B. B. Comer,
Governor.

GOVERNOR'S MESSAGE.

The Senate ratified and confirmed the appointments of the governor as shown in the above and foregoing message from the governor.

MESSAGE FROM THE GOVERNOR.

Montgomery, Ala., Feb. 28, 1907.

To the Senate:

I hand you herewith for your confirmation or rejection the members of the board of trustees of the department of Archives and History, as provided by act approved February 27, 1901.

B. B. Comer,
Governor.

March 1, 1907.

Sir:

As secretary of the board of trustees of the department of Archives and History, and the director of the said department, I have the honor to certify the due and formal election, by the said board, in accordance with the act establishing the said department, approved February 27, 1901, of the following named persons as trustees for the districts and for the terms indicated:

Fourth District: J. H. Johnson, of Talladega, for term ending January 1, 1911;

Fifth District: W. L. Lancaster, of Wetumpka, for term ending January 1, 1911;

Sixth District: Henry B. Foster, of Tuscaloosa, for term ending January 1, 1911;

Seventh District: Oliver D. Street, of Guntersville, for term ending January 1, 1913;

Eighth District: W. H. Blake, of Sheffield, for term ending January 1, 1913;

Ninth District: Samuel Will John, of Birmingham, for term ending January 1, 1913.

These names are transmitted to you as chief executive, in order that they may be submitted to the State Senate for confirmation.

I have the honor to be,

Very respectfully,

Thomas M. Owen,

Secretary and Director.

Hon. B. B. Comer,

Governor of Alabama,

Montgomery, Alabama.

GOVERNOR'S MESSAGE.

The Senate ratified and confirmed the election by the board of trustees of the department of Archives and History, of certain members thereof, as shown by the certificate of the secretary of said board and director of said department, accompanying the said governor's message.

REPORT FROM JOURNAL COMMITTEE.

Mr. Leith, from the committee on Revision of the Journal, made the following report:

Mr. President:

We, the committee on the Revision of the Senate Journal, have in session examined the Journal for the 30th, 31st, 32nd and 33rd legislative days and find the same to be correct.

M. L. Leith,

Chairman.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has non-concurred in the Senate amendment to the bill, H. 333, To make an appropriation for the expenses of encampment of the Alabama National Guard for the years 1907, 1908, 1909, and 1910.

And requests a committee of conference thereon. Committee on part of the House, Messrs. Lyons, Long of Morgan, and Woolf.

Cyrus B. Brown,
Clerk.

And herewith returns the bill H. 333 to the Senate.

HOUSE MESSAGE.

On motion of Mr. Hamburger, the Senate insisted on its amendment to H. B. 333, and acceded to the request of the House for a committee of conference; and the President of the Senate appointed as a committee on the part of the Senate, Messrs. Hamburger and Teasley.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in the Senate amendment to the bill:

H. 372. To authorize cities, towns and other municipal corporations to make certain improvements on the sidewalks, streets, avenues, alleys, highways, or

other public places of such city, town, or other municipal corporation, to construct sewers; to assess the cost of such improvements, of any part thereof, upon the property abutting such street, avenue, alley, highway, or other public place, or drained by such sewers, or against the right of way of any railroad so improved or drained by such sewers; to make such assessments a lien on such property, and to regulate appeals from such assessments; to provide methods for the enforcement of such lien, and the payment of such assessment and penalties and to authorize the issue of bonds to pay for such improvements.

And the House has passed the following Senate bill:

S. 310. Conferring on railroads operating in the State of Alabama, the right to acquire lands for depots, freight yards and team tracks by condemnation proceedings, in the mode prescribed by law, after application for permission to bring such condemnation proceedings has first been submitted to and approved by the railroad commission of Alabama.

And returns same to the Senate.

And has originated and passed the following bills and has ordered same sent forthwith to the Senate without engrossment:

H. 441. To ascertain and establish disputed boundaries.

And sends same herewith to the Senate.

H. 831. To fix the salary of the judge of the 10th judicial circuit of the State of Alabama at the sum of forty-five hundred (\$4500.00) dollars per annum, and to provide for the payment of as much thereof out of the State treasury as shall be paid to other circuit judges of the State of Alabama, and for the payment of the remainder thereof out of the treasury of Jefferson county.

And sends same herewith to the Senate with notice and proof herewith attached and herewith exhibited as follows:

The State of Alabama, }
Jefferson County. }

Personally appeared before me, D. N. Smith, a notary public in and for said State and county, Thos. B. Smith,

secretary, who being duly sworn says upon oath that the notice, a copy of which is hereto attached, appeared in The Birmingham Ledger, a daily newspaper published in the city of Birmingham, State of Alabama, one time a week for four consecutive weeks as follows: January 1, 8, 15, and 22, 1907.

Thomas B. Smith,

Secy. Birmingham Ledger.

Sworn to and subscribed before me, this February 21, 1907.

D. N. Smith,

Notary Public.

NOTICE.

Notice is hereby given that a bill will be introduced in the next session of the Legislature of Alabama for the passage of an act to increase the salary of the present judge of the tenth judicial circuit to an amount not exceeding five thousand dollars (\$5,000.00) per annum, of which salary there shall be paid from the treasury of the State of Alabama the same amount that judges of the circuit courts of Alabama are now paid, and the balance of said salary to be paid out of the treasury of Jefferson county.

And has originated and passed the following bill and has ordered same sent forthwith to the Senate without engrossment.

H. 835. To authorize municipal corporations to levy and collect a license tax on all exhibitions, trades, business, vocations, occupations, and professions which are now or may hereafter be engaged in or carried on within the limits of such municipal corporation.

And sends same herewith to the Senate.

C. B. Brown, Clerk.

HOUSE MESSAGE.

The House bills in the foregoing House message were severally read once and referred to appropriate standing committees as follows:

H. 441, to Counties and County Boundaries.

H. 831, to Local Legislation.

H. 835, to Municipalities and Municipal Organizations.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended, as therein shown, and as amended, has passed:

S. 228. To make appropriation for the repair, building and maintaining of the Confederate Soldiers' Home at Mountain Creek, Alabama.

And sends same herewith to the Senate.

And the House has originated and passed the following bill and ordered same sent forthwith to the Senate without engrossment:

H. 735. To provide for and regulate the working of the public roads in Tallapoosa county.

And sends same herewith to the Senate with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Tallapoosa County. }

Personally appeared before me, W. H. Oliver, notary public, in and for said State and county, P. A. Jackson, who being by me sworn said that he is the editor and publisher of the Tallapoosa Courier, a paper published weekly at Dadeville, Alabama, in said Tallapoosa county, and that the hereto attached road law notice was published in said paper on the tenth day of January, 1907, and published four consecutive times in said paper on dates as follows: January 10th, January 17th, January 24th, and January 31st, 1907.

P. A. Jackson, Ed.

Sworn to and subscribed before me, this the 13th day of February, 1907.

W. H. Oliver,
Notary Public.

NOTICE.

I will introduce in the present session of the Legislature of Alabama a bill to enact a law to provide for the working of the public roads in Tallapoosa county, which will provide for the number of days each person now subject to road duty shall be required to work and the

amount of tax each person may pay in lieu of working on the road and when the same shall be paid, and requiring the commissioners' court to divide the county into road precincts and to appropriate money out of the general fund for the purpose of working and repairing the roads, to relocate the roads where necessary and to employ an engineer when necessary to locate new roads ~~or relocate or change old roads, to let the roads to be~~ repaired and worked by contract, to take bond for the faithful performance of the contract and to do all things necessary to the working of the roads, and to fix a penalty for anyone subject to road duty who fails to work or pay his road tax.

Jan. 10th, 1907.

J. Fletcher Turner.

And has originated and passed the following bill, and orders the same sent forthwith to the Senate without engrossment:

H. 767. To amend section 7 of an act approved October 1, 1903, to amend an act to establish the Tuscaloosa county law and equity court, so as to fix the salary of the judge of said court at twenty-seven hundred dollars per annum payable monthly.

And sends the same herewith to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Tuscaloosa County. }

Before me, B. B. Cooper, clerk of the circuit court in and for said State and county, personally appeared John Wills, who being duly sworn, deposes and says that he is the manager of the Tuscaloosa Times-Gazette, a newspaper published at Tuscaloosa, Alabama, that the attached notice was published in said The Tuscaloosa Times-Gazette, once a week for four consecutive weeks the first publication being January 19, 1907, the 2nd publication Jan. 26, 1907, the third February 2, 1907, and the 4th Feb. 9, 1907.

John Wills,
Manager Tuscaloosa Times-Gazette.

NOTICE.

Notice is hereby given that application will be made to the Legislature of Alabama during the session of 1907, to enact into a law a bill for the purpose of amending Sec. 4 and 7 of an act approved Oct. 1, 1903, amending an act entitled an act to establish the Tuscaloosa county law and equity court so as to fix the solicitor's salary at two thousand dollars per annum and to limit the amount of solicitor's fees that can be set aside for the payment of assistant counsel to five hundred dollars per annum. And to fix the salary of the judge of said court at twenty-seven hundred dollars per annum payable monthly.

Sworn to and subscribed before me, Feb. 12, 1907.

B. B. Cooper,
Clerk Circuit Court.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

The Senate concurred in the House amendment to Senate bill 228, the title of which is set out in the above and foregoing message from the House, said amendment being as follows, to-wit:

Amend by inserting in section 1 after the words "resident physician \$600.00" the words "for hospital help \$1,000.00 per annum."

Yeas, 22; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Miller	Spragins
Bayles	Hayes	McWhorter	Strother
Blackmon	Horton	Overton	White
Doster	Jones	Reese	Wilson
Forrester	Leith	Reid	Wimberly.
Gardner	Merritt		

—22.

And the House bills in the foregoing House message were read once and referred to appropriate standing committee, as follows:

H. 735, 767, to Local Legislation.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following Senate bill:

S. 17. To provide the manner in which any person, company or corporation owning or operating as a common carrier any railroad in whole or in part in this State may contest the validity, or reasonableness and fairness of any maximum rate established by statute to be charged by railroads for the transportation, originating and terminating within the State, of articles, and have the same annulled or the enforcement thereof enjoined or restrained.

And returns same to the Senate.

And the House has concurred in the Senate amendments to the bill, H. 449:

H. 449. To change and define the boundary line of Bibb county, Alabama, between said county and the counties of Shelby and Jefferson.

And the House has passed the following Senate bills:

S. 219. To provide for the revocation of the license or right to engage in or carry on the business of the transportation, originating and terminating in this State, of freight or passengers, of any foreign corporation which is now engaged, or which may hereafter engage in such business, or the business of common carrier in this State, in the event such corporation shall for any of the purposes specified in this act, institute in any federal court any suit or proceeding or shall remove or cause to be removed to any federal court any suit or proceeding instituted in any State court for any of the purposes specified in this act.

And returns same to the Senate.

S. 86. To further regulate the doing of business in the State of Alabama by foreign or non-resident corporations or corporations organized under or by authority

of the law of any other State or government than the State of Alabama, and to fix a punishment for a violation thereof.

And returns same to the Senate.

S. 346. To amend an act to amend an act to amend section 4457 of the Code of 1896, approved Mch. 5, 1901.

And returns same to the Senate.

And has amended, as therein shown, and as amended has passed the following Senate bill:

S. 320. To amend section 17 of an act entitled an act to provide for the holding the elections on the question of changing of county seats, and in the event of a majority of qualified electors of the county voting at such election shall vote in favor of changing or locating county seats under the erection of necessary county buildings and to provide for the necessary county officers.

And returns same to the Senate.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Gunn, the Senate concurred in the following amendment by the House to Senate bill No. 320, the title to which is set out in the foregoing message from the House, to-wit:

Amend by adding in the caption after the words "To amend section 17 at an act," the following: "Approved March 3rd, 1903," and adding in section 1, line two after the words 'an act' the following "approved March 3, 1903." Also amend by adding section 2. Be it further enacted, that this act shall take effect immediately upon its passage:

Yeas, 22; nays, 0.

Yeas:

Messrs:

Barbour	Hamburger	Merritt	Strother
Bayles	Hayes	McWhorter	Thomas
Davis	Jones	Overton	White
Forrester	King	Reid	Wilson
Gardner	Leitch	Spragins	Wimberly
Glenn	Lusk		

—22.

REPORT FROM COMMITTEE ON ENROLLED BILLS.

Mr. Moody, from the committee on Enrolled Bills, made the following report:

Mr. President:

The committee on Enrolled Bills have examined and compared the following Senate bills:

S. 48. To create the fifteenth judicial circuit for the State of Alabama, to be composed of the counties of Autauga, Chilton, Elmore and Montgomery; to confer equity jurisdiction on said court as to matters arising in Autauga, Elmore and Chilton counties and to provide for registers in chancery therein; to provide for the appointment of a judge and solicitor for said court and for the removal of pending causes and the remanding of pending appeals to the new court; to regulate the convening of grand and petit juries in said circuit and to authorize the judge of said circuit court to adopt reasonable rules of practice to facilitate the business of the court.

S. 219. To provide for the revocation of the license or right to engage in or carry on the business of the transportation, originating and terminating in this State, of freight, or passengers, of any foreign corporation which is now engaged, or which may hereafter engage, in such business, or the business of common carrier in this State, in the event such corporation shall for any of the purposes specified in this act, institute in any Federal court any suit or proceeding or shall remove or cause to be removed to any Federal court any suit or proceeding instituted in any State court for any of the purposes specified in this act.

S. 310. Conferring on railroads operating in the State of Alabama, the right to acquire lands for depots, freight yards and team tracks by condemnation proceedings, in the mode prescribed by law, after application for permission to bring such condemnation proceedings has first been submitted to and approved by the railroad commission of Alabama.

S. 320. To amend section seventeen (17) of an act entitled an act to provide for the holding the election on the question of changing of county seats and in the event of a majority of qualified electors of the county voting at such election shall vote in favor of changing or locating county seats to provide for changing or locating county seats under the erection of necessary county buildings and to provide for the necessary county officers.

S. 1. To amend section 4 of an act to provide for subordinate employes of the Legislature.

S. J. R. No. 53.

S. 128. To confer jurisdiction of all misdemeanors on the county court of Clarke county, and to define the jurisdiction of said court, to regulate the practice therein, to provide for a judge, solicitor and clerk of said court and to fix their compensation.

S. 136. To further regulate the financial affairs of Dallas county.

S. 142. For the government of juvenile delinquents in the county of Mobile, Alabama.

S. 226. To make appropriation for the Confederate Soldiers' Home at Mountain Creek, Alabama, and for other purposes.

And find same to be correct.

Frank S. Moody,
Chairman.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read at length by the secretary, signed the above Senate bills, the titles of which are set out in the foregoing report from the committee on Enrolled Bills, the reading at length of said bills having been dispensed with by a two-thirds vote of a quorum of the Senate present.

CONFERENCE COMMITTEE REPORT.

The committee of conference on the disagreement of the two Houses on the Senate amendment to House bill 114, made the following report:

March 1st, 1907.

To the Legislature of Alabama:

~~We, the conference committee of the House and Sen-~~
ate, composed of Messrs. Hamner, Teasley and Doster of the Senate and Messrs. Lee of Etowah, Smith of Etowah and Weaver of the House, beg leave to report the following: We respectfully recommend that the Senate recede from the Senate amendment to House bill 114 and that said bill be passed without amendment.

Hamner of Etowah not concurring.

Respectfully submitted,

H. S. Doster,
Chas. B. Teasley,
Senate Committee.
Alto V. Lee, Jr.,
W. A. Weaver,
H. P. Smith,
House Committee.

Which report was concurred in.

Yeas, 20; nays, 1.

Yeas:

Messrs:

Barbour	Gardner	Merritt	Strother
Bayles	Glenn	Moody	Teasley
Blackmon	Hayes	McWhorter	Thomas
Davis	Leith	Overton	Wilson
Doster	Lusk	Reid	Wimberly

—20.

Nays: Mr. Hamner—1.

Mr. Hamburger, from the committee on conference on the disagreement of the two Houses on the Senate amendment to House bill 333, made the following report:

To the Legislature:

Your joint committee on H. B. 333 beg leave to report that they have agreed upon the Senate amendments to H. B. 333 and request the Senate to return same to the House and further recommend that the House concur in Senate amendments.

Max Hamburger, Jr.,
Chas. B. Teasley,

On part of Senate.

A. S. Lyons,
Wm. H. Long, Jr.,
S. E. Woolf,

On part of the House.

Which report was concurred in.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Merritt	Reynolds
Bayles	Hayes	McWhorter	Strother
Forrester	Jones	Overton	White
Glenn	Leith	Reese	Wilson
Hamburger	Lusk	Reid	Wimberly.

—20.

RESOLUTION.

Mr. Reese offered the following resolution:

Resolved that Senators Jones and Reese be excused from further service on joint committee on Pension Bills, and that two members of committee on Finance and Taxation, Miller and Gunn, be appointed instead.

Which was adopted.

BILLS ON THIRD READING.

The bill:

H. 788. To make further provisions for defraying the expenses of the Legislature.

Was read a third time, at length, and passed.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Barbour	Hamburger	Merritt	Strother
Bayles	Hamner	McWhorter	Thomas
Davis	Jones	Reese	White
Forrester	Leith	Reid	Wilson
Glenn	Lusk	Spragins	Wimberly

—20.

The bill:

H. 811. To provide for the payment of expenses incurred by the door-keeper of the House and door-keeper of the Senate.

Was read a third time, at length, and passed.

Yeas, 21; nays, 0.

Nays:

Messrs:

Barbour	Hayes	Merritt	Strother
Bayles	Jones	McWhorter	Thomas
Davis	King	Overton	White
Forrester	Leith	Reid	Wilson
Glenn	Lusk	Spragins	Wimberly.
Hamburger			

—21.

The bill:

H. 689. To fix the terms of the circuit court of Madison county and to dispense with grand juries in said court, except when especially ordered by the judge.

Was read a third time, at length, and passed.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Barbour	Hamburger	Moody	Strother
Bayles	Hayes	McWhorter	Thomas
Blackmon	Jones	Overton	White
Davis	Leith	Reid	Wilson
Forrester	Lusk	Spragins	Wimberly
Glenn	Merritt		

—22.

The bill:

H. 688. To create the office of county solicitor for Madison county, and to prescribe his duties and powers,

and to fix his compensation or salary, and to provide for his appointment and election.

Was read a third time, at length, and passed.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Barbour	Horton	Moody	Strother
Bayles	Jones	McWhorter	Thomas
Blackmon	Leith	Overton	White
Davis	Lusk	Reid	Wilson
Forrester	Merritt	Spragins	Wimberly
Hamburger			—21.

The bill:

H. 460. To repeal an act, approved December 6th, 1900, entitled an act to make all fines and forfeitures in Dale county, Alabama, payable only in lawful money of the United States.

Was read a third time, at length, and passed.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Barbour	Hamburger	Lusk	Reid
Bayles	Hayes	Merritt	Spragins
Davis	Horton	Moody	Strother
Forrester	Jones	McWhorter	White
Glenn	Leith	Overton	Wilson
			—20.

The bill:

H. 546. Authorizing the transfer of any civil cause now pending in the circuit court of Jefferson county, in the State of Alabama, in the city court of Birmingham, in said State, or in the chancery court of said county back to the city court of Bessemer in said county, in all cases where the cause has been removed from said city court of Bessemer to said circuit, city or chancery court by and at the instance of the defendant.

Was read a third time, at length, and passed.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Barbour	Horton	Merritt	Spragins
Bayles	Jones	Moody	Thomas
Davis	King	McWhorter	White
Forrester	Leith	Overton	Wilson
Hamburger	Lusk	Reid	Wimberly

—20.

The bill:

H. 545. To repeal "an act authorizing the transfer of any civil cause pending in the city court of Bessemer in the county of Jefferson, in the State of Alabama, to the circuit court of Jefferson county in said State or to the city court of Birmingham, in said State, or to any other court of competent jurisdiction, sitting in the city of Birmingham," approved September 26th, 1903.

Was read a third time, at length, and passed.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	McWhorter	Strother
Bayles	Horton	Overton	Thomas
Forrester	Lusk	Reid	White
Glenn	Merritt	Reynolds	Wilson
Hamburger	Moody	Spragins	Wimberly

—20.

The bill:

H. 806. To better provide for maintaining, working and repairing the public roads of Henry county, Alabama.

Was read a third time, at length, and passed.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Barbour	Jones	Moody	Strother
Bayles	King	McWhorter	Thomas
Forrester	Leith	Overton	White
Glenn	Lusk	Reid	Wilson
Hayes	Merritt	Spragins	Wimberly
Horton			

—21.

The bill:

H. 718. For the relief of the dispensary of the town of Gordon, Houston county, Alabama, whereas, the dispensary in the town of Gordon, Houston county, Alabama, did pay to the State of Alabama, \$250.00 for the year 1906, as a license to sell spirituous, vinous and malt liquors in said town, and whereas, the law under which said dispensary was run was held and declared unconstitutional by the circuit court of Houston county, Alabama, after the taking out and paying for said license, and prior to the 20th day of January, 1906; and the commissioners who were running and operating said dispensary were ousted by said court, and ordered to desist by said court from further running or operating of said dispensary; and said commissioners, in obedience to said order ceased to run said dispensary any longer, or to sell spirituous, vinous or malt liquors under the said license any longer.

Was read a third time, at length, and passed.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Barbour	Horton	Moody	Strother
Bayles	Jones	McWhorter	Thomas
Forrester	Leith	Overton	White
Glenn	Lusk	Reid	Wilson
Hamner	Merritt	Spragins	Wimberly
Hayes			—21.

The bill:

H. 670. To provide for and regulate the working of the public roads in Lee county, Alabama.

Was read a third time, at length, and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Barbour	Hamburger	Leith	Spragins
Bayles	Hamner	Lusk	Strother
Davis	Hayes	Merritt	Thomas
Doster	Horton	Moody	White
Forrester	Jones	McWhorter	Wilson
Glenn	King	Reid	Wimberly
			—24.

The bill:

H. 708. To authorize the court of county commissioners of Walker county, Alabama, to borrow money and pay interest thereon.

Was read a third time, at length, and passed.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lusk	Reid
Bayles	Hayes	Merritt	Spragins
Blackmon	Heacock	Moody	Strother
Davis	Horton	McWhorter	White
Forrester	Jones	Overton	Wilson
Gardner	King	Reese	Wimberly
Hamburger	Leith		

—26.

The bill:

H. 538. To provide for the election of four commissioners of Fayette county, Alabama, by the qualified electors of said county.

Was read a third time, at length, and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Merritt	Strother
Bayles	Heacock	Moody	Thomas
Blackmon	Jones	Overton	White
Doster	King	Reese	Wilson
Forrester	Leith	Reid	Wimberly
Gardner	Lusk	Spragins	

—23.

The bill:

H. 792. To fix and provide for the salaries of the judges of the city court of Birmingham.

Was read a third time, at length, and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Barbour	Davis	Gardner	Hayes
Bayles	Doster	Hamburger	Heacock
Blackmon	Forrester	Hamner	Horton

Jones	Lusk	Overton	Spragins
King	Merritt	Reid	Wilson
Leith	McWhorter	Reynolds	Wimberly

—24.

The bill:

H. 712. To fix and provide for the salaries of the judges of the criminal court of Jefferson county.

Was read a third time, at length, and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Barbour	Hamburger	King	Reid
Bayles	Hamner	Lusk	Spragins
Blackmon	Haves	Merritt	Strother
Davis	Heacock	Moody	White
Doster	Horton	McWhorter	Wilson
Forrester	Jones	Overton	Wimberly.
Glenn			

—25.

The bill:

H. 667. For the relief of Mary A. Pope, widow of an ex-confederate soldier, being a resident of Marion county, Alabama.

Was read a third time, at length, and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Barbour	Hamburger	Lusk	Reid
Blackmon	Hamner	Merritt	Spragins
Davis	Hayes	Moody	Strother
Doster	Horton	McWhorter	White
Forrester	Jones	Overton	Wilson
Gardner	Leith	Reese	Wimberly
Glenn			

—25.

The bill:

H. 731. To detach and make a portion of the territory of Conecuh county and attach and add the same to Escambia county.

Was read a third time, at length, and passed.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Glenn	Lusk	Reid
Bayles	Hamner	Merritt	Spragins
Blackmon	Hayes	Moody	Strother
Davis	Heacock	McWhorter	White
Doster	Horton	Overton	Wilson
Forrester	Jones	Reese	Wimberly
Gardner	King		

—26.

The bill:

H. 750. To amend an act, entitled "An act to amend an act, approved February 15th, 1899, entitled an act to amend section 908 of the Code of 1896, and to fix the time of holding the circuit court in the 10th circuit of Alabama, composed of the counties of Winston, Walker and Jefferson," approved December 13, 1900, in so far as said act relates to time of holding the circuit court for Jefferson county.

Was read a third time, at length, and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Barbour	Gardner	King	Reid
Bayles	Glenn	Leith	Spragins
Blackmon	Hamner	Lusk	Strother
Davis	Hayes	Merritt	White
Doster	Heacock	McWhorter	Wilson
Forrester	Jones	Overton	Wimberly

—24.

The bill:

H. 574. To establish a dispensary in and for the town of Clanton in the county of Chilton, State of Alabama, and to provide for the conduct and regulation of the same.

Was read a third time, at length, and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Barbour	Glenn	Leith	Reynolds
Bayles	Hamburger	Lusk	Spragins
Blackmon	Hamner	Merritt	Strother
Doster	Hayes	McWhorter	White
Forrester	Heacock	Overton	Wilson
Gardner	Jones	Reid	Wimberly

—24.

The bill:

H. 639. To amend section 2 of an act entitled an act "To establish a charter for the town of Ashland, Clay county, Alabama."

Was read a third time, at length, and passed.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Bayles	Hayes	Merritt	Strother
Blackmon	Heacock	McWhorter	Teasley
Davis	Horton	Overton	White
Gardner	Jones	Reynolds	Wilson
Hamburger	King	Spragins	Wimberly

—20.

The bill:

H. 709. To authorize the town of Haleysville, in Winston county, to establish and operate a dispensary for the purpose of buying and selling spirituous, vinous and malt liquors within its corporate limits, and to provide for the distribution of certain profits arising therefrom, and to further regulate or prohibit the sale of such liquors within said town.

Was read a third time, at length, and passed.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Merritt	Spragins
Blackmon	Heacock	Moody	Strother
Forrester	Horton	McWhorter	White
Gardner	Jones	Overton	Wilson
Glenn	Lusk	Reese	Wimberly
Hamner			

—21.

The bill:

H. 483. To create an additional judge for the tenth judicial circuit of Alabama, and to provide for his election, jurisdiction, powers, authority and qualification, to render him liable to the pains and penalties of the other judge, and provide for the salaries of the judges of said circuit; to provide how the judges sitting in said circuit court in Jefferson county may hold court, and to regulate the holding of the circuit court in said county in the tenth circuit, the establishment of rules of procedure and practice therein, and the summoning, empanneling and swearing of jurors to serve in said court in said county, and to secure suitable rooms, furniture and supplies for said court in said county and the clerk thereof.

Was taken up.

The following amendment offered by the committee, to-wit:

Amend House bill 483 by striking out section 1, and by substituting therefor the following:

Section 1. Be it enacted by the Legislature of Alabama, and there is hereby authorized and created an additional judge of the tenth judicial circuit of the State of Alabama, who shall be appointed by the governor of Alabama, within ten days after the passage of this act, and who shall hold office until the next general election for any State officer, and until his successor shall have been elected and qualified; and thereafter such additional judge shall be elected every six years as other circuit judges are elected in this State.

Was adopted.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Leith	Reynolds
Bayles	Hamner	Lusk	Spragins
Blackmon	Hayes	Merritt	Strother
Forrester	Heacock	McWhorter	Teasley
Gardner	Jones	Reese	Wilson
Glenn	King	Reid	Wimberly.

The said bill, as amended, was read a third time, at length, and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Barbour	Hamburger	Leith	Reese
Bayles	Hamner	Lowe	Reid
Forrester	Hayes	Lusk	Reynolds
Gardner	Heacock	Merritt	Spragins
Glenn	Jones	McWhorter	Strother
Gunn	King	Overton	Wilson

—24.

The bill:

S. 372. To establish police commissions in cities of 35,000 population, in counties of 100,000 or more population, and to define their terms of office, duties and powers.

Was taken up.

The following substitute offered by the committee on Local Legislation, to-wit:

A BILL

To be entitled an act to establish police commissions in cities of 35,000 population, or more, in counties of 125,000, or more population, and to define their terms of office, duties and powers.

Be it enacted by the Legislature of Alabama:

Section 1. In all cities of 35,000 population, or more, in counties of 125,000 population, or more, there is hereby established a commission to be called the "Police Commission" and to be composed of three commissioners, the mayor of the city to be a commissioner and chairman of the board, and two other commissioners to be appointed by the governor to hold office until the next regular election for the city officers in any such city.

At the next regular election held for the election of city officers there shall be elected two commissioners, one for the term of two years and one for the term of four years, and until their successors are elected and

qualified and on the expiration of these terms their successors shall be elected for the term of four years.

No person shall be eligible to hold the office of police commissioner except a qualified elector of the State of Alabama, over twenty-five years of age, and a resident of the city at the time of his election and during his term of office.

~~Nor shall any officer or employee of the municipality, or of the State or county be eligible to hold said office.~~

Section 2. Before entering upon the discharge of the duties of the office, every commissioner shall take the oath of office prescribed by the constitution and the laws of Alabama, and may be removed from office for the same causes and in the same manner as justices of the peace are now removed for misconduct.

Section 3. "The Police Commission" shall have exclusive power and authority to appoint and qualify all of the policemen and police officers of the city, and supervise and control them in the execution of the laws and shall have power to suspend or remove any police officer or policeman for any neglect of duty or failure to execute any process from any court, or to arrest any person found violating any law of the State or of the municipality, or who commits any act involving moral turpitude, or is given to the habitual use of intoxicating liquors, or found under the influence of intoxicants of any kind while on duty.

Section 4. "The Police Commission" shall keep a record of their proceedings, which may be kept by one of their number, or by a secretary elected by them, and in case they elect a secretary, they shall have power to fix his compensation and his term of service, and remove him at will. The record or minutes of their proceedings shall be open to the inspection of the public.

Section 5. "The Police Commission" shall prescribe rules and regulations for the government of the policemen and officers and for preferring charges against any police officer or policeman, and for the trial of such charges, and shall have power to summon witnesses to attend before them on any hearing, and shall have power to punish witnesses or any other person who com-

mits any contempt in their hearing or presence the same as circuit courts now have. Every police commissioner shall have the authority to administer oaths and take affidavits.

Section 6. Any police commissioner who votes for any order suspending or modifying any law of the State, or municipality, or who gives any order suspending or modifying any law of the State or municipality, or who gives any order to any policeman or officer not to enforce the law, or arrest any person found violating any law or ordinance, or who knows of any violation of the law, ordinances or rules by a police officer, or policeman, or failure to perform his duty, and fails to report the same immediately to the commission is guilty of a misdemeanor and must on conviction be fined not less than \$500 and must also be sentenced to hard labor for not less than three nor more than six months.

Was adopted.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Barbour	Jones	McWhorter	Spragins
Bayles	King	Overton	Strother
Gardner	Leith	Reese	Teasley
Glenn	Lusk	Reid	White
Hamner	Merritt	Reynolds	Wilson
Heacock			—21.

And said bill, as thus amended, was read a third time, at length, and passed.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Barbour	Heacock	McWhorter	Spragins
Bayles	Jones	Overton	Strother
Gardner	Leith	Reese	Thomas
Glenn	Lusk	Reid	White
Hamner	Merritt	Reynolds	Wilson
Hayes			—21.

And said bill was ordered sent forthwith to the House without engrossment.

The bill:

H. 373. To provide for an election by the qualified electors of Tuscaloosa county to determine whether the sale, barter, exchange giving away or otherwise disposing of vinous, spirituous or malt liquors intoxicating beverages, bitters and proprietary medicines shall be wholly prohibited in said county, and if a majority of said electors shall vote in favor of prohibition to prohibit the sale, barter, exchange, giving away, lending, delivering or otherwise disposing of spirituous, vinous or malt liquors, intoxicating beverages, bitters and proprietary medicines and to prohibit the shipping into said county by any common carrier and the bringing into said county by any person for the use of any other person than himself, any such spirituous, vinous or malt liquors intoxicating beverages bitters or proprietary medicines from any place within this State, and to prohibit the taking or soliciting of orders for spirituous, vinous or malt liquors, intoxicating beverages bitters or proprietary medicines in said county, and to prohibit the giving of orders for spirituous vinous or malt liquors intoxicating beverages bitters or proprietary medicines by any person in said county over any telegraph or telephone line, and to provide penalties for all such prohibited acts.

The following amendment offered by the committee:

Amend the bill by erasing the words "Be it enacted by the Legislature of Alabama, That whenever twenty or more householders and freeholders of Tuscaloosa county" where said words occur in the first section of the bill, and insert in lieu thereof the words, "Be it enacted by the Legislature of Alabama, That whenever five hundred of the qualified electors of Tuscaloosa county".

Amend the first section of the bill by erasing the word "paraying" where it occurs in said section and by inserting in lieu thereof the word "praying."

Was adopted.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	McWhorter	Spragins
Davis	King	Overton	Strother
Doster	Lusk	Reese	White
Forrester	Merritt	Reid	Wilson
Glenn	Moody	Reynolds	Wimberly

—20.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Barbour	Gardner	Jones	Reid
Bayles	Glenn	Lusk	Reynolds
Davis	Hayes	Merritt	Strother
Doster	Heacock	Moody	Teasley
Forrester	Horton	McWhorter	Wimberly

—20.

The bill:

H. 611. To further provide for the revenue of the State, by requiring all foreign corporations authorized to do business in this State under the laws of the State of Alabama, to pay an annual franchise tax.

Was taken up.

Mr. Teasley offered the following amendment:

“By adding at the end of sub-section D of section one the following:

“Provided foreign corporations whose principal or sole business is the lending of money shall not be required to pay more than 1-50th of one per centum upon the amount of capital employed in the State by it.”

Mr. Reynolds moved to lay said amendment on the table, which was lost.

Yeas, 5; nays, 19.

Yeas:

Messrs:

Barbour	Merritt	Reynolds	Wimberly
Hamner			

—5.

Nays:			
Messrs:			
Bayles	Hinson	Moody	Strother
Blackmon	Horton	McWhorter	Teasley
Davis	Jones	Reese	Thomas
Glenn	King	Reid	White
Hayes	Lusk	Spragins	

—19.

And the amendment offered by Mr. Teasley was adopted.

Yeas, 27; nays, 1.

Yeas:

Messrs:

Barbour	Heacock	Merritt	Strother
Bayles	Hinson	Moody	Teasley
Blackmon	Horton	McWhorter	Thomas
Davis	Jones	Reese	White
Gardner	King	Reid	Wilson
Glenn	Leith	Reynolds	Wimberly
Hayes	Lusk	Spragins	

—27.

Nays: Mr. Hamner—1.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 25; nays, 5.

Yeas:

Messrs:

Barbour	Hayes	Lusk	Spragins
Bayles	Heacock	McWhorter	Strother
Davis	Hinson	Overton	Teasley
Forrester	Horton	Reese	Thomas
Gardner	Merritt	Reid	White
Hamburger	Leith	Reynolds	Wilson
Hamner			

—25.

Nays:

Messrs:

Blackmon	Glenn	King	Moody
Jones			

—5.

The bill:

H. 614. To make subject to taxation in this State money lent, solvent credits and credits of value and moneyed capital.

Was read a third time, at length, and passed.

Yeas, 27; nays, 2.

Yeas:

Messrs:

Barbour	Heacock	Merritt	Spragins
Bayles	Hinson	Moody	Strother
Davis	Horton	McWhorter	Teasley
Forrester	Jones	Overton	Thomas
Gardner	King	Reese	White
Glenn	Leith	Reid	Wilson
Hayes	Lusk	Reynolds	

—27.

Nays: Messrs. King, Blackmon—2.

The bill:

H. 818. To appropriate funds to be expended by the State board of health for the protection and promotion of the health of the people of the State.

Was taken up.

The following amendment offered by Mr. McWhorter to-wit:

Amend section eight by striking out the following words where they occur in said section, to-wit:

“By the members of the State board of health” and inserting in lieu thereof the following words: “under the direction of the State board of health.”

Which was adopted.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Barbour	Heacock	Merritt	Reid
Bayles	Horton	Miller	Reynolds
Davis	Jones	Moody	Spragins
Forrester	King	McWhorter	Strother
Gardner	Leith	Overton	Teasley
Gunn	Lusk	Reese	Thomas

—24.

Said bill as amended was read a third time, at length, and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Barbour	Horton	Miller	Reynolds
Bayles	Jones	Moody	Spragins
Davis	King	McWhorter	Strother
Forrester	Leith	Overton	Teasley
Gardner	Lusk	Reese	Thomas
Heacock	Merritt	Reid	

—23.

The bill:

H. 623. To amend section 2584 of the Code of 1896.

Was read a third time, at length, and passed.

Yeas, 21; nays, 3.

Yeas:

Messrs:

Barbour	Hayes	Merritt	Reynolds
Davis	Heacock	Moody	Strother
Forrester	Horton	Overton	Thomas
Gardner	Jones	Reese	White
Glenn	Lusk	Reid	Wilson
Gunn			

—21.

Nays: Messrs. Blackmon, King, Leith—3.

The bill:

H. 243. To enlarge the insurance laws of the State.

Was taken up.

The following amendments offered by the committee, to-wit:

Amend section 1 by adding at the end of said section the following: "and provided, further that such companies or associations shall not have power, to issue policies or make contracts of insurance until same shall have filed with the State insurance commissioner a certified copy of its articles of incorporation, accompanied by a statement in due form showing the place where it is located, its principal office and a list of the names and post office addresses of at least twenty-five bona fide

subscribers to membership in such corporation or association, no one of which shall be worth less than one thousand dollars in taxable property and shall have been regularly licensed by the State insurance commissioner to enter on such business.

Amend section 2, by striking out the words "twenty-five hundred" where they occur in said section and insert in lieu thereof the words "ten thousand." Amend section 2 further by striking out the words "in addition to legal fees" in line seven.

Amend section 2 further by striking out the word "one" in line eight and insert in lieu thereof the word "two."

Amend section 2 further by striking out the words "this requirement shall apply alone to mutual associations" found in lines 9 and 10 and add the following: "And shall pay to the insurance commissioner in advance a license fee of twenty dollars annually as a privilege tax for doing business."

Amend section 3 by striking out the words "That all laws in conflict with the provisions of this act are hereby repealed" and add the following:

"That every such company or association shall on or before the first day of March of each year file with the insurance commissioner a report of its operations during the preceding calendar year, including the number of existing policy holders, the aggregate amount of outstanding policies, the total amount of expenditures and receipts and the aggregate amount of the assets of the company or association and shall pay to the insurance commissioner a tax of one per cent on net premiums received in this State during the preceding calendar year, meaning gross premiums, less return premiums; provided that any company paying to the State a tax on its property or shares may deduct such amount so paid from the one per cent tax herein provided.

Amend by adding section 4. "Any company or association failing or refusing to make such report, and pay such taxes as provided by this act shall not be licensed by the insurance commissioner and any company or association issuing certificates or policies without such li-

cense may be enjoined by the insurance commissioner or by any citizen in a court of competent jurisdiction from issuing certificates or policies and upon such injunction being made permanent any officer or agent of such company or association upon conviction of issuing or pretending to issue any such certificate or policy thereafter shall be fined not less than ten, nor more than one hundred dollars, or may be imprisoned not less than ten nor more than one hundred days for each such offense, or both at the discretion of the court.

Which was adopted.

Yeas, 24; nays, 0.

Messrs:

Barbour	Hamner	Lusk	Reynolds
Bayles	Hayes	Merritt	Spragins
Blackmon	Heacock	Moody	Strother
Davis	Horton	McWhorter	Thomas
Forrester	Jones	Reese	White
Gardner	King	Reid	Wilson
Glenn			

—25.

And said bill, as thus amended, was read a third time, at length, and passed.

Yeas, 25; nays, 1.

Messrs:

Messrs:

Barbour	Hayes	Merritt	Reynolds
Blackmon	Heacock	Moody	Spragins
Davis	Horton	McWhorter	Strother
Forrester	Jones	Overton	Thomas
Glenn	King	Reese	White
Gunn	Lusk	Reid	Wilson
Hamner			

- 25.

Nays: Mr. Bayles—1.

INDEFINITE POSTPONEMENT OF BILL.

On motion of Mr. Gunn:

S. 355. To establish an immigration board for the State of Alabama, to define its duties, to appropriate

money to pay the expenses for carrying out its provisions, to provide for the appointment of an immigration commissioner, to define his duties and fix his compensation.

Was indefinitely postponed.

SPECIAL ORDER SET.

On motion of Mr. Wimberly:

H. 562. To regulate the practice of pharmacy and the sale of poisons in the cities and towns of more than nine hundred inhabitants in the State of Alabama, and fixing the penalty for violations thereof, and to repeal chapter 89 of the Civil Code of Alabama, 1896, and section 5335 of the Criminal Code of Alabama, 1896, and all laws in conflict with the provisions of this act.

Was made a special order for Monday, March 4, 1907, at 12 o'clock m.

On motion of Mr. Overton:

H. 25. To define corrupt solicitation of legislators and provide adequate punishment therefor and the means to effectually enforce this act.

Was continued and made a special order for Monday, March 4, 1907, at 5 o'clock p. m.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bill and ordered same sent forthwith to the Senate without engrossment:

Mr. Carmichael, of Colbert:

H. 805. To amend sections one (1) and two (2) of an act entitled an act to confer additional rights and powers including the right to acquire by purchase, or by condemnation lands and easements upon corporations organized under the general laws or heretofore under a special act of the general assembly of the State

of Alabama, and upon corporations organized under the laws of any other state in the United States, and which corporations have complied with the laws of Alabama in reference to foreign corporations and which have the right by their charter to manufacture, supply and sell power produced by water as a motive force," approved October 1st, 1903, and to add sections (8 1-2) and (9 1-2) to said act defining the duties of such corporations to the public.

And herewith sends same to the Senate.

And has originated and passed the following bill:

H. 845. To grant to any person, firm or corporation acquiring necessary lands on both sides of a navigable river, and organized for the purpose of developing water power and electrically transforming and distributing the same, for the use of the public, to construct dams and locks in navigable rivers for the development of water power. To grant perpetual and exclusive easements for power purposes to and in the waters and beds of said rivers.

And has ordered same sent forthwith to the Senate without engrossment. And sends same to the Senate.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

The House bills in the foregoing House message were severally read once and referred to appropriate standing committees as follows:

H. 805, to Revision of Laws.

H. 845, to Commerce and Common Carriers.

ADJOURNMENT.

At 6:30 p. m., on motion of Mr. Jones, the Senate adjourned until 10 o'clock tomorrow morning.

THIRTY-FIFTH DAY.

Saturday, March 2, 1907.

The Senate met pursuant to adjournment.
Prayer was offered by Rev. Brooks Lawrence.

ROLL CALL.

Present:

Mr. President, and,
Messrs:

Barbour	Hamburger	Lowe	Reynolds
Bayles	Hamner	Lusk	Spragins
Blackmon	Hayes	Merritt	Strother
Davis	Heacock	Miller	Teasley
Doster	Hinson	Moody	Thomas
Forrester	Horton	McWhorter	White
Gardner	Jones	Overton	Wilson
Glenn	King	Reese	Wimberly
Gunn	Leith	Reid	

—35.

JOURNAL.

On motion of Mr. Merritt, the reading of the Journal was dispensed with and the same was approved.

INTRODUCTION OF BILLS.

On a call of the districts, bills were introduced, read one time and referred to appropriate standing committees as follows:

By Mr. Wilson:

S. 383. To provide for the efficient supervision of the public schools of the State.

Education.

By Mr. Barbour:

S. 384. To provide for the establishment of high schools in this State, and to make appropriations for said schools.

Education.

REPORTS OF COMMITTEES.

Mr. Miller, chairman of the standing committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:

H. 149. For the relief of A. A. Heard, an ex-confederate soldier, being a resident of Marion county, Alabama.

Also,

H. 675. To provide for the relief of D. F. Brannon, of Mobile county.

Also,

H. 732. To make a supplemental appropriation for the payment of the increased salaries of the judicial officers of this State.

Also,

H. 819. To dissolve the board of trustees of the Medical College of Alabama, and to vest the ownership and control of the property of the Medical College in the board of trustees of the University of Alabama.

Mr. Bayles, chairman of the standing committee on Revision of Laws, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report:

Mr. Carmichael, of Colbert:

H. 805. To amend sections one (1) and two (2) of an act entitled an act to confer additional rights and powers including the right to acquire by purchase, or by condemnation lands and easements upon corporations organized under the general laws or heretofore under a special act of the general assembly of the State of Alabama, and upon corporations organized under the laws of any other state in the United States, and which corporations have complied with the laws of Alabama in reference to foreign corporations and which have the right by their charter to manufacture supply and sell power produced by water as a motive force," approved October 1st, 1903, and to add sections (8 1-2) and (9 1-2) to said act defining the duties of such corporations to the public.

Mr. Merritt, chairman of the standing committee on Local Legislation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:

H. 767. To amend section 7 of an act approved October 1st, 1903, to amend an act to establish the Tuscaloosa county law and equity court, so as to fix the salary of the judge of said court at twenty-seven hundred dollars per annum payable monthly.

Also,

H. 831. To fix the salary of the judge of the 10th judicial circuit of the State of Alabama at the sum of forty-five hundred (\$4,500.00) dollars per annum, and to provide for the payment of as much thereof out of the State treasury as shall be paid to other circuit judges of the State of Alabama, and for the payment of the remainder thereof out of the treasury of Jefferson county.

Also,

H. 735. To provide for and regulate the working of the public roads in Tallapoosa county.

Mr. Strother, chairman of the standing committee on Mining and Manufactories, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report:

H. 835. To authorize municipal corporations to levy and collect a license tax on all exhibitions, trades, business, vocations, occupations and professions which are now or may hereafter be engaged in or carried on within the limits of such municipal corporation.

Mr. Merritt, chairman of the standing committee on Local Legislation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report:

H. 678. To ratify and make legal the warrants issued to the probate judge and sheriff of Walker county, Alabama, for services rendered in holding the county court of said county from March 6th, 1903, to June 9th, 1905.

Also,

H. 679. To ratify and make legal claims against the fine and forfeiture fund of Walker county all claims issued from March 6th, 1903, to June 9th, 1905, to the sheriff and circuit clerk of said county against said fund for services performed in and for the court acting as the county court of Walker county, and for the circuit court while said court was held or attempted to be held under what was known as the 14th judicial circuit act approved March 6th, 1903.

Mr. Overton, chairman of the standing committee on Commerce and Common Carriers, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report:

H. 845. To grant to any person, firm or corporation acquiring necessary lands on both sides of a navigable river, and organized for the purpose of developing water power and electrically transforming and distributing the same, for the use of the public, to construct dams and locks in navigable rivers for the development of water power. To grant perpetual and exclusive easements for power purpose to and in the waters and beds of said rivers.

Mr. Miller, chairman of the standing committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report:

H. 202. (With substitute.) For the additional relief of needy confederate soldiers and sailors, who are resident citizens of the State of Alabama, and their widows, by the appropriation of three hundred thousand dollars annually for the years 1907, 1908, 1909, 1910.

The foregoing bills contained in said committee reports were severally read a second time and placed on the calendar.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following Senate bill:

S. 272. To authorize cities and towns in the State of Alabama, to provide for the drainage thereof by sanitary and storm water sewers, ditches, surface drains, aqueducts and canals, to prescribe rules and regulations for the installation of plumbing, to enforce connection with and the use of such sewers or drains, and to regulate the same. •

And returns same herewith to the Senate.

And the House has amended, as therein shown, and as amended has passed the following Senate bill:

S. 175. To further regulate and to prohibit the dealing in future contracts in the State of Alabama.

And returns the same herewith to the Senate.

And the House has amended, as therein shown, and as amended, has passed the following Senate bill:

S. 230. To provide for the collection, compilation and publication of statistics of cotton ginned within the State; to establish a bureau of cotton statistics, and to prescribe the duties and powers of such bureau; to make appropriation for the maintenance thereof; to require ginners to make reports thereto; and to fix penalties for the violations of the provisions of this act.

And herewith returns the same to the Senate.

And has adopted the following House joint resolution:

By Mr. John:

H. J. R. No. 195. Resolved, by the Legislature of Alabama, That the joint committee raised to read the manuscript of the Code, shall consider the legal status of the lands usually called "swamp and overflowed" lands which were granted by the act of the Alabama Legislature, approved Oct. 10, 1903, to the trustees of the "Alabama Insane Hospitals" and to consider and ascertain what "were sold prior to the passage of the act approved February 12, 1879, and the sales of which were confirmed by the said act."

Also whether there were two acts approved on the same day, to-wit: February 12, 1879, and if so which of these is referred to in the act approved Oct. 10, 1903, and whether there is any conflict in the provisions of the two acts, or any part of either act violates any provision of the constitution of Alabama.

~~The joint committee will also consider and report~~ what legislation, if any, is needed to protect the rights of the State, and of the "Alabama Insane Hospitals" in and to the "swamp and overflowed" lands remaining unsold, and that will facilitate the equitable adjustment of claims of title to any of these lands which are claimed were sold by the State before the act of Oct. 10, 1903, and whether the officers or agents of the "A. I. Hospitals" have "interfered with, or disturbed the title and possession of the purchaser, or owner of any such swamp and overflowed lands" to "which they had a fairly just, or equitable claim.

The joint committee will report their finding and opinion together with any bill or bills which they deem necessary or proper, to the Legislature upon its reconvening on July 9, 1907.

And orders same sent to the Senate.

And has adopted and concurred in the conference report on the disagreement of the two Houses on the Senate amendment to the bill H. 114. To prohibit the sale, barter or exchange of vinous, spirituous or malt liquors or intoxicating bitters or beverages, at any place in the county of Etowah except within the corporate limits of the cities of Gadsden and Attalla."

And has concurred in Senate amendment to:

H. 483. To create an additional judge for the tenth judicial circuit of Alabama, and to provide for his election, jurisdiction, powers, authority and qualifications, to render him liable to the pains and penalties of the other judges, and provide for the salaries of the judges of said circuit; to provide how the judges sitting in said circuit court in Jefferson county may hold court, and to regulate the holding of the circuit court in said county, in the tenth circuit, the establishment of rules of procedure and practice therein, and the summoning, em-

panelling and swearing of jurors to serve in said court in said county; and to secure suitable rooms, furniture and supplies thereof for said court in said county, and the clerk thereof.

And has concurred in the Senate amendment to the bill:

H. 330. "To establish an Immigration Board for the State of Alabama, to define its duties, to appropriate money to pay the expenses for carrying out its provisions, to provide for the appointment of an Immigration Commissioner, to define his duties and to fix his compensation."

The House has passed the following Senate bills:

S. 292. To authorize the chief justice and the associate justices of the Supreme Court to appoint two secretaries for the supreme court, and to fix their compensation and make appropriation therefor.

S. 293. To fix the salary of the marshal and librarian of the supreme court and to make appropriation therefor.

And sends same herewith to the Senate.

And has non-concurred in the report of the committee of conference on the disagreement of the two Houses on the Senate amendments to the bill, H. 333. "To make an appropriation for the expenses of encampment of the Alabama National Guard for the years 1907, 1908, 1909 and 1910."

And the House herewith returns the bill H. 333, to the Senate for its further consideration.

Cyrus B. Brown, Clerk.

HOUSE MESSAGE.

The Senate concurred in the House amendment to Senate bill 175, the title of which is set out in the above and foregoing message from the House. Said amendment being as follows:

Amend by striking out the words in last line of section 5 "and imprisoned at the discretion of the court" and insert not less than one hundred dollars and may be sentenced to hard labor for not less than one month,

and upon a second conviction shall be fined not less than five hundred dollars and sentenced to hard labor for not less than six months.

Strike out the words where they occur "and may be imprisoned at the discretion of the court" and insert these words. "May be sentenced to hard labor for not less than one month nor more than six months."

The provisions of this act shall take effect on the first day of January, 1908.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Glenn	King	Spragins
Bayles	Hamburger	Leith	Strother
Blackmon	Hamner	Lusk	Teasley
Davis	Hayes	McWhorter	Thomas
Doster	Heacock	Reid	White
Forrester	Horton	Reynolds	Wilson
Gardner	Jones		

—26.

And the Senate concurred in the House amendment to Senate bill 230, the title to which is set out in the above and foregoing message from the House.

Said amendment being as follows:

Amend section 2 by adding "and such director shall give a bond, in the sum of five thousand dollars, to be approved by the governor, and conditioned upon the full and faithful performance of his duties."

Amend section 3. By incorporating the "with a copy of this act and" after word "state" in line 4 and the words "and postage" after the word "forms" in same line.

Amend section 4. By striking out the words "engaged in the ginning of cotton shall before further engaging in same" in lines one and two and substituting in lieu thereof the words "operating or who shall hereafter operate a ginnery." And amend further by adding the words "and amount ginned during current ginning season" after the word ginned in line 7.

Amend section 5. By striking out the words "to carry out the provisions of this act" in line 3 and substitu-

ting therefor the words "to defray the expenses of such bureau for books, postage, stationery, office supplies and clerical assistance."

Yeas, 16; nays, 2.

Yeas:

Messrs:

Barbour	Forrester	King	Teasley
Bayles	Glenn	Leith	Thomas
Davis	Hamner	McWhorter	White
Doster	Hayes	Reynolds	Wilson

—16.

Nays: Messrs. Blackmon and Horton—2.

And the Senate concurred in the House Joint Resolution No. 195 set out in above and foregoing message from the House.

And the Senate insisted on its amendment to H. 333, and on motion of Mr. Teasley a second committee on conference was ordered by the Senate and the president of the Senate appointed as conferees on the part of the Senate Messrs. Teasley and Hamburger.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker of the House having signed the following House bills your signature thereto is requested:

H. 107. To prohibit the sale of adulterated cotton seed meal as fertilizers, to have the same analyzed and a guaranteed analysis printed on tags and tags attached to the bags containing the same and in case of sales in bulk to have such analysis set forth in the contract of sale and providing penalties and punishments for the violation of the provisions of this act.

H. 449. To change and define the boundary line of Bibb county, Alabama, between said county and the counties of Shelby and Jefferson.

H. 278. To rearrange the boundaries of the town of Oxford in Calhoun county, Alabama.

H. 748. To prohibit the sale, barter, giving away or otherwise disposing of spirituous, vinous or malt li-

liquors, intoxicating drinks, bitters or beverages, in Franklin county, Alabama.

H. 96. To provide for the payment of certain fine and forfeiture funds in the hands of the clerk of the circuit court of Cullman county, Alabama.

H. 726. To fix the salary of the judge of the city court of Montgomery.

H. 136. To establish the Lee county court of law and equity, ~~prescribe its jurisdiction and powers, its rules~~ of practice and procedure, provide for the selection of its officers, prescribe their powers, duties, compensation and term of office, fix the time of holding said court, and provide for fees, commissions, fines, forfeitures and juries in said court, provide for supplies for said court and repeal conflicting laws.

H. 483. To create an additional judge for the tenth judicial circuit of Alabama, and to provide for his election, jurisdiction, powers, authority and qualification, to render him liable to the pains and penalties of the other judge, and to provide for the salaries of the judges of said circuit; to provide how the judges sitting in said circuit court in Jefferson county may hold court, and to regulate the holding of the circuit court in said county in the tenth circuit, the establishment of rules of procedure and practice therein, and the summoning, empanelling and swearing of jurors to serve in said court in said county and to secure suitable rooms, furniture and supplies for said court in said county and the clerk thereof.

H. 750. To amend an act, entitled, "an act, to amend an act approved February 15th, 1899, entitled an act to amend section 908 of the code of 1896, and to fix the time of holding the circuit court in the tenth circuit of Alabama, composed of the counties of Winston, Walker and Jefferson." "Approved December 13, 1900, in so far as said act relates to time of holding the circuit court for Jefferson county.

H. 574. To establish a dispensary in and for the town of Clanton in the county of Chilton, State of Alabama, and to provide for the conduct and regulation of the same.

Cyrus B. Brown, Clerk.

SIGNING OF BILLS.

The President of the Senate in the presence of the Senate, immediately after their titles had been publicly read at length by the secretary, signed the above House bills, the titles of which are set out in the foregoing message from the House. The reading at length of said bills having been dispensed with by a two-thirds vote of a quorum of the Senate present.

BILLS ON THIRD READING.

The Bill,

H. 237. To establish a normal school for the education of white male and female teachers at Daphne, in Baldwin county, Alabama.

Was taken up.

Mr. Reynolds offered the following amendment:

Amend section 14 by adding the following words: By executing a deed in fee simple and procuring in cash or contract and agreement of solvent parties satisfactory to the governor by the donation to said school without reservation of ten thousand dollars."

Which was adopted.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	King	Reynolds
Bayles	Hayes	Lusk	Spragins
Davis	Heacock	Merritt	Strother
Doster	Hinson	Miller	Teasley
Forrester	Horton	Overton	Thomas
Glenn	Jones	Reese	Wilson
Hamburger			

—25.

And the bill as thus amended

Was read a third time at length and passed.

Yeas, 25; nays, 6.

Yeas:

Messrs:

Bayles	Heacock	Leith	Reese
Forrester	Hinson	Lusk	Reid
Hamburger	Horton	Merritt	Reynolds
Hamner	Jones	Miller	Teasley
Hayes	King	Overton	Wilson

20

Nays:

Messrs:

Barbour	Doster	McWhorter	Spragins
Davis	Lowe		

—6.

PAIRS.

Mr. Glenn announced that he was paired with Mr. Thomas, that he would vote no and Mr. Thomas if present would vote I.

The Bill:

H. 612. To amend an act entitled an act to regulate the collection of the poll taxes in the State of Alabama, approved February 12, 1903.

Was read a third time at length and passed.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Bayles	Heacock	Lusk	Reid
Blackmon	Hinson	Merritt	Spragins
Forrester	Jones	Miller	Strother
Glenn	King	Overton	Teasley
Hamburger	Leith	Reese	Wilson
Hamner	Lowe		

—22.

The Bill:

H. 238. To authorize the commissioner's court of Baldwin county to surrender and convey the county buildings and grounds at Daphne to the trustees of a normal school to be established in said county.

Was read a third time at length and passed.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Bayles	Hamner	Leith	Reese
Blackmon	Hinson	Lusk	Reid
Forrester	Horton	Miller	Reynolds
Glenn	Jones	McWhorter	Spragins
Hamburger	King	Overton	Wilson

—20.

The Bill:

H. 615. To amend sections 1321 and 1322 of the code of 1896.

Was taken up.

The following amendment offered by the committee to wit:

Amend section 1 by striking out the words "dollars." And each foreign corporation whose actual amount of capital employed in this State exceeds one hundred dollars and does not exceed \$1,000.00 shall pay an annual franchise tax of twenty-five per centum upon the first one hundred dollars of such actual amount of capital employed by it within this State and five per centum of the amount of such amount of capital in excess of \$100.00 up to \$1,000.00" where they occur in said section beginning in line 16 thereof and ending in line 20 thereof, and insert in lieu thereof for the words so stricken out the words "dollars" and further amend said section by adding after the words "in excess of \$100.00 the words up to \$1,000.00 further amend said section 1 by adding at the end thereof the words "provided foreign corporations whose principle or sole business is lending money shall not be required to pay more than one-fortieth of one per centum upon the amount of capital employed in this State by it" further amend section 1 by striking out the words "an annual franchise tax" where they occur in section one next after the words \$1,000,000.00 shall pay" and insert in lieu the words "a charter fee."

Amend section 2 by striking out the word "filed" where it occurs in line four next after the word "treasury" and insert in lieu thereof the word "file."

Which amendment was adopted.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Lowe	Reynolds
Bayles	Heacock	Lusk	Spragins
Davis	Hinson	Miller	Strother
Doster	Jones	McWhorter	Teasley
Forrester	Leith	Reese	Wilson
Glenn			

21

And the bill as thus amended:

Was read a third time at length and passed.

Yeas, 22; nays, 3.

Messrs:

Barbour	Heacock	Merritt	Reid
Bayles	Hinson	Miller	Reynolds
Davis	Horton	McWhorter	Strother
Forrester	Jones	Overton	Teasley
Glenn	Leith	Reese	Wilson
Hayes	Lusk		

—22.

Nays:

Messrs:

Blackmon	King	Spragins
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—3.

The Bill:

H. 741. To make subject to taxation and to tax the franchises, or intangible property and assets of every person, association, company and corporation engaged as common carrier in this State in the business of transporting persons or property over any railroad, including street railroads, or in the business of operating any cars over any railroad for the transportation of freight or passengers, including sleeping cars, parlor or palace cars, dining cars, chair cars, tank cars, and cars of any other kind; or engaged in operating for gain any telegraph or telephone lines or plant or business; or in operating any plant or business for the production, manufacture, distribution or sale of gas, water, electricity, electric power, electric light, steam heat, oil, refrigerated air, or other like substances, by means of pipes, wires, or conduits passing on, over, under or through

any territory, street alley or highway in this State; or in the business of operating for gain, dockage, wharfage, canal, freight or passenger depots, stations or terminals, or engaged in any other business which may be dependent upon the grant of public powers or privileges, or which may involve the operation of any public utility; and to provide for the valuation and manner of ascertaining the values of such franchises, or intangible properties, and the distribution of the same for local taxation, and the levy, assessment and collection of said taxes thereon.

The following amendment offered by the committee to wit:

Amend section 7 1-2 by inserting next after the words "or manager of the" where they first occur in said section the word "owner."

Which was adopted.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Barbour	Hinson	Miller	Reynolds
Davis	Horton	McWhorter	Spragins
Forrester	Jones	Overton	Strother
Glenn	Lusk	Reese	Teasley
Hayes	Merritt	Reid	Wilson

—20.

And the bill as thus amended,

Was read a third time at length and passed.

Yeas, 21; nays, 2.

Yeas:

Messrs:

Barbour	Hayes	Lusk	Reid
Bayles	Heacock	Merritt	Reynolds
Davis	Hinson	McWhorter	Strother
Forrester	Horton	Miller	Teasley
Glenn	Leith	Overton	Wilson
Hamburger			

—21.

Nays:

Messrs:

Blackmon	King
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—2.

The Bill:

H. 610. To further amend the revenue laws of the State of Alabama.

The following amendment offered by the committee to-wit:

Amend section D. of sub-section 7 of section 1, so as to read as follows:

~~"D. There shall be no ad valorem tax collected upon~~
any such instrument, or the debt secured thereby, which shall have paid the tax prescribed in this act, either State, county or municipal."

Further amend said section 1 by adding at the end thereof the following:

"1. All money lent, solvent credits and credits of value, except such as are secured by mortgage deed of trust, or written contract or conditional sale, upon which a tax imposed by law has been paid."

Amend section 3 by striking out the word "or" where it occurs next after the words "purpose of conducting a fire insurance business" and inserting in lieu thereof the word "for." Further amend by striking out the words, "pianos" and "organs" wherever they occur in section 11, and by adding at the end of section 11 the following: "every person, firm or corporation engaged in the business of selling or delivering pianos or organs in this State either in person or by agents or consignees shall pay an annual license of \$100.00 for each county in which they may sell, provided that this license shall not apply to merchants or dealers having a permanent place of business in this State keeping and said articles as a part or all of their stock in trade.

Such persons, firms or corporations having a permanent place of business in this State, and keeping said articles as part or all of their stock in trade shall pay the State an annual license of \$100.00 to be paid in the county in which such permanent place of business is established and the payment of such license in such county as evidenced by the official certificate of the judge of probate shall be sufficient, notwithstanding they may sell in other counties.

Amend section 15 so the same shall read as follows:

"That every person, firm or corporation engaged in the business of bottling non-alcoholic carbonated or other soft drinks, shall be required to pay to the State annual license taxes as follows: In towns of not more than five thousand inhabitants twenty-five dollars and in towns or cities of five thousand inhabitants and not exceeding twenty thousand inhabitants fifty dollars and in all towns having more than twenty thousand inhabitants one hundred dollars.

Amend section 20 by adding at the end thereof "for each factory and each fertilizer mixing plant or factory shall pay an annual license of ten dollars. "Further amend by striking out sections 23 1-2 and 23 3-4. Further amend by adding section twenty-five as follows: Section 25. That this act be incorporated in and made a part of the code to be adopted by the legislature."

Mr. Leith offered the following amendment to the amendment to wit:

Amend its amendment by adding after the words, "piano and organs, the word sewing machine."

Which was adopted.

Yeas, 18; nays, 7.

Yeas:

Messrs:

Doster	Jones	Overton	Spragins
Forrester	Leith	Reese	Strother
Glenn	Lusk	Reid	Teasley
Heacock	Merritt	Reynolds	Wilson
Horton			

—18.

Nays:

Messrs:

Barbour	Blackmon	King	White
Bayles	Hayes	Miller	

—7.

And the said amendment as amended was adopted.

Yeas, 19; nays, 5.

Yeas:

Messrs:

Davis	Horton	Miller	Reynolds
Doster	Jones	McWhorter	Teasley
Forrester	Leith	Overton	White
Gardner	Lusk	Reese	Wilson
Glenn	Merritt	Reid	

—19.

Nays:

Messrs:

Bayles	King	Spragins	Strother
Blackmon			

—5.

Mr. Jones offered the following amendment:

Section 21. That any person, firm or corporation operating any cotton seed oil mill, cotton mill or factory, shall pay an annual license fee of \$10.00 where the investment for plant and fixtures is less than \$20,000 on all plants of over \$20,000 and less than \$50,000.00, \$30.00 on plants of \$50,000 and under \$100,000, \$50.00 on plants of over \$100,000, \$100.00 on plant over \$500,000 and under \$1,000,000, \$150.00 on all plants over \$1,000,000, \$200.00.

Which was adopted.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Bayles	Hayes	Merritt	Reynolds
Blackmon	Heacock	Miller	Spragins
Davis	Horton	McWhorter	Strother
Doster	King	Overton	Teasley
Forrester	Leith	Reese	White
Gardner	Lusk	Reid	Wilson
Glenn			

—25.

Mr. Miller offered the following amendment:

Further amend section 1 by adding at the end thereof the following:

J. All money employed in the business of advancing or lending on any kind of chattels, choses in action or

personal property, or used in buying or discounting notes, bonds or bills of exchange.

K. All moneyed capital used in any business which comes in competition with the business of national banks.

Which was adopted.

Yeas, 23; nays, 4.

Yeas:

Messrs:

Bayles	Hayes	Merritt	Reynolds
Davis	Heacock	Miller	Spragins
Doster	Hinson	McWhorter	Strother
Gardner	Horton	Overton	Teasley
Glenn	Leith	Reese	Wilson
Hamburger	Lusk	Reid	

—23.

Nays:

Messrs:

Blackmon	Forrester	Jones	King
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—4.

Mr. Strother offered the following amendment:

Amend by striking out section 12 of the bill.

Which on motion of Mr. Miller was laid on the table.

Yeas, 16; nays, 14.

Yeas:

Messrs:

Bayles	Hamburger	Lusk	Reese
Davis	Hayes	Merritt	Reynolds.
Glenn	Hinson	Miller	Spragins
Gunn	Horton	McWhorter	Wilson

—16.

Nays:

Messrs:

Barbour	Gardner	Leith	Strother
Blackmon	Heacock	Overton	White
Doster	Jones	Reid	Wilson
Forrester	King		

—14.

And the bill as thus amended,

Was read a third time at length and passed.

Yeas, 26; nays, 3.

Yeas:

Messrs:

Barbour	Gunn	Leith	Reese
Bayles	Hamburger	Lusk	Reid
Davis	Hayes	Merritt	Reynolds
Doster	Heacock	Miller	Strother
Forrester	Hinson	McWhorter	Teasley
Gardner	Horton	Overton	Wilson
Glenn	Jones		

—26.

Nays:

Messrs:

Blackmon	King	Spragins
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—3.

The Bill:

H. 769. To better provide for the revenue of the State and the more efficient assessment and collection of taxes, and for this purpose to create a commission to be known as the State tax commission of Alabama; and to prescribe the powers and duties of said commission; and its mode of procedure and to abolish the office of State tax commissioner.

Was taken up.

The following amendment offered by the committee to-wit:

Amend section 9 by striking out the words "Tax Commissioner" where they occur in line two of said section and insert in lieu thereof the words "State Tax Commission."

Amend by striking out the word "of" where it occurs first in line 11 of sub-division 4 of section 9 and insert in lieu thereof the word "or."

Amend sub-division 14 of section 9 by striking out the word "violation" where it occurs in line 3 of said subdivision and insert in lieu thereof the word "valuation."

Amend sub-division 14 of section 9 of said bill by inserting next after the words "appealed to" where they occur in line 3 on page 11 of said bill the word "the."

Amend section 2 of said bill by inserting between the words "shall" and "composed" in the first line of said section the word "be."

Was adopted.

Yeas, 16; nays, 3.

Yeas:

Messrs:

Barbour	Glenn	Merritt	Overton
Bayles	Hamburger	Miller	Reid
Doster	Hinson	Moody	Reynolds
Forrester	Lusk	McWhorter	Wilson

—16.

Nays:

Messrs:

Blackmon	King	Spragins
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—3.

Mr. Blackmon offered the following amendment, to-wit:

Amend sub-division fourteen of section nine of House bill 769, by adding at the end thereof the following:

Provided that no change in assessment or re-assessment or re-valuation on any property shall be made by the State Tax Commission after the taxes for the current year on such property shall have been paid.

Which on motion of Mr. Miller was laid on the table.

Yeas, 12; nays, 9.

Yeas:

Messrs:

Davis	Lusk	McWhorter	Strother
Doster	Merritt	Reid	Teasley
Horton	Miller	Reynolds	Wilson

—12.

Nays:

Messrs:

Barbour	Heacock	Jones	Spragins
Blackmon	Hinson	King	White
Forrester			

—9.

Mr. Blackmon offered the following amendment to-wit:

Amend section nine (9) of House bill 769, by adding to the end of sub-division one (1) of said section nine, the following:

~~The intent of this act is that all the property in this State shall as nearly as possible, be assessed on the same basis, and in the same proportion to its real value, and in all proceedings and in all hearings before the Tax Commission and in all appeals to the circuit courts, the tax payer may introduce evidence tending to show that the assessment sought against his property is proportionately greater than the average basis of assessment fixed by the Tax Commission or greater than the average basis of assessment throughout the State or county.~~

Which on motion of Mr. Miller was laid on the table.

Yeas, 16; nays, 7.

Yeas:

Messrs:

Davis	Hamner	Lusk	Reid
Doster	Hinson	Merritt	Reynolds
Gardner	Horton	Miller	Teasley
Glenn	King	McWhorter	Wilson
Gunn	Leith		

—16.

Nays:

Messrs:

Barbour	Hamburger	Jones	Spragins
Blackmon	Heacock	King	

—7.

And the bill as amended,

Was read a third time at length and passed.

Yeas, 19; nays, 4.

Yeas:

Messrs:

Barbour	Glenn	Hinson	Moody
Bayles	Gunn	Horton	McWhorter
Davis	Hamburger	Lusk	Strother
Doster	Hamner	Merritt	Wilson
Forrester	Hayes	Miller	

—19.

Nays:
 Messrs:
 Blackmon Jones King • Spragins —4.

The Bill:

H. 240. To enlarge the duties of the Department of Archives and History.

Was read a third time at length and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Barbour	Hamburger	Leith	Reese
Bayles	Hamner	Lusk	Reid
Blackmon	Hayes	Merritt	Reynolds
Davis	Heacock	Miller	Spragins
Gardner	Horton	McWhorter	Teasley
Glenn	Jones	Overton	

—23.

The Bill:

H. 764. To provide for the employment and pay of a servant for the supreme court.

Was read a third time at length and passed.

Yeas, 17; nays, 3.

Yeas:

Messrs:

Bayles	Gardner	Hayes	Reid
Blackmon	Glenn	King	Spragins
Davis	Gunn	Lusk	Strother
Doster	Hamburger	Miller	Wilson
Forrester			

—17.

Messrs:

Nays:

Barbour	Hamner	McWhorter	—3.
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The Bill:

H. 30. To define who are delinquent children and to provide for their arrest, care and reformation.

The following amendment offered by the committee, to-wit:

Amend section 1 by striking out the words "sling shots" wherever they occur in said section.

Amend section 5 by striking out the word "shall" in the third line of said section and insert in lieu thereof the word "may."

Amend section 11 by striking out the words "must not be imprisoned but" in lines 4 and 5.

Amend section 11 by striking out all of said section beginning with and including the words "If any child" in line 8 and insert in lieu thereof the following: "~~If any~~ child under 14 years of age is brought before any court or judge or justice of the peace, it shall be discretionary with said court or judge or justice of the peace whether said child shall be tried, or examined on the charge, or be sent together with a copy of the charge before the proper judicial officers provided by this act."

Amend section 16 by striking out the following in line 6 "must immediately" and down to and including the words "doubt and" in line 11 and insert in lieu thereof the words "may at his discretion."

Was adopted.

Yeas, 18; nays, 7.

Yeas:

Messrs:

Barbour	Hamner	Merritt	Reese
Bayles	Hayes	Miller	Reid
Davis	Jones	McWhorter	Reynolds
Gardner	King	Overton	Spragins
Hamburger	Lusk		

—18.

Nays:

Messrs:

Blackmon	Forrester	Leith	White
Doster	Glenn	Spragins	

—7.

Mr. Merritt offered the following amendment, to-wit:

Amend by striking out the word "shall" where they occur in lines 34 and 35 in section one (1) of said bill and insert in lieu thereof the words "may."

Which was adopted.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Barbour	Glenn	Jones	Reese
Bayles	Gunn	King	Reid
Davis	Hamburger	Leith	Spragins
Doster	Hamner	Lusk	Strother
Forrester	Hayes	Merritt	Teasley
Gardner	Heacock	McWhorter	

—23.

And the bill as thus amended,
Was read a third time at length and passed.
Yeas, 23; nays, 2.

Yeas:

Messrs:

Barbour	Hamburger	McWhorter	Spragins
Bayles	Hayes	Overton	Strother
Davis	Leith	Reese	Teasley
Doster	Lusk	Reid	White
Forrester	Merritt	Reynolds	Wilson
Gardner	Miller		

—22.

Nays: Messrs. Blackmon and Hamner—2.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended as therein shown and as amended has concurred in S. J. R. No. 42 relative to a joint committee of the House being appointed to investigate the so called "Fertilizer Trust or Combination."

And herewith returns same to the Senate.

Cyrus B. Brown, Clerk.

HOUSE MESSAGE.

On motion of Mr. Leith the Senate concurred in the House amendment to Senate Joint Resolution No. 42, the title to which is set out in the foregoing message from the House, as follows, to-wit:

"Amend by adding at the end of the resolution the following:

"And it shall be the duty of said committee to draw and report a bill that will correct the evil that now exists."

REPORT FROM THE COMMITTEE ON ENROLLED BILLS.

Mr. President:

~~The committee on Enrolled Bills have examined and compared the following Senate bills:~~

S. 17. To provide the manner in which any person company or corporation owning or operating as a common carrier any railroad in whole or in part in this State may contest the validity, or reasonableness and fairness of any maximum rate established by statute to be charged by railroads for the transportation, originating and terminating within the State, of articles, and have the same annulled or the enforcement thereof enjoined or restrained.

S. 86. An act to further regulate the doing of business in the State of Alabama by foreign or nonresident corporations or corporations organized under or by authority of the law of any other State or government than the State of Alabama and to fix a punishment for a violation thereof.

S. 228. To make appropriation for the repair, building and maintenance of the Confederate soldiers home at Mountain Creek, Alabama.

S. 346. To amend an act to amend an act to amend section 4457 of the code of 1896, approved March 5, 1901.

And found same to be correctly enrolled.

Frank S. Moody, Chairman.

SIGNING OF BILLS.

The President of the Senate in the presence of the Senate, immediately after their titles had been publicly read at length by the secretary, signed the above Senate bills, the titles of which are set out in the foregoing report from committee on Enrolled Bills. The reading at length of said bill having been dispensed with, by a two-thirds vote of a quorum of the Senate present.

BILLS ON THIRD READING RESUMED.

H. 763. To provide for a joint committee of the senate and House to sit during the recess of the legislature to prepare a general municipal bill.

Was taken up.

The following amendment offered by the committee, to-wit:

Amend by inserting the words "or bills" after the word "bill" when it appears in the caption or body of the bill.

And add to section 3 "provided such committee shall not sit for more than twenty days."

Was adopted.

Yeas, 19; nays, 5.

Yeas:

Messrs:

Barbour	Hamburger	Merritt	Reid
Bayles	Hamner	Miller	Teasley
Davis	Hayes	Moody	White
Forrester	Leith	McWhorter	Wilson
Glenn	Lusk	Overton	

—19.

Nays:

Messrs:

Gardner	King	Reynolds	Spragins
Gunn			

—5.

Mr. Lusk offered the following amendment, to-wit:

Amend by making ten dollars per day read four dollars per day.

Was adopted.

Yeas, 16; nays, 6.

Yeas:

Messrs:

Bayles	Glenn	Lowe	Reid
Davis	Hamner	Lusk	Reynolds
Doster	Hayes	Merritt	Teasley
Gardner	Leith	Overton	Wilson

—16.

Nays:

Messrs:

Gardner	Merritt	Moody	Reid
Glenn	Miller		

—6.

And said bill as thus amended,

Was read a third time at length and passed.

Yeas, 15; nays, 9.

Yeas:

Messrs:

Bayles	Glenn	Lusk	Reynolds
Davis	Hamburger	Merritt	Teasley
Doster	Hayes	Overton	Wilson
Gardner	Leith	Reid	

—15.

Nays:

Messrs:

Barbour	Hamner	King	Reese
Blackmon	Jones	McWhorter	Spragins
Forrester			

—9.

MESSAGE FROM THE GOVERNOR.

To the Senate, March 2, 1907.

I herewith return Senate bill No. 219 entitled,

S. 219. To provide for the revocation of the license or right to engage in or carry on the business of the transportation, originating and terminating in this State, of freight or passengers, of any foreign corporation which is now engaged, or which may hereafter engage, in such business, or the business of common carrier in this State, in the event such corporation shall for any of the purposes specified in this act, institute in any federal court any suit or proceeding or shall remove or cause to be removed to any federal court any suit or proceeding instituted in any State court for any of the purposes specified in this act.

And I recommend and propose the following amendment to said bill:

Insert after section 3 of said bill the following section: "Section 4.—This act shall go into effect immediately upon its passage and approval."

B. B. Comer, Governor.

GOVERNOR'S MESSAGE.

On motion of Mr. Reid the Senate adopted and concurred in the amendments proposed by the governor to Senate bill No. 219. The title of which, and the proposed amendment thereto as set out in the foregoing message from the governor.

Yeas, 22; nays, 3.

Yeas:

Messrs:

Barbour	Hamner	Lusk	Reid
Bayles	Hayes	Merritt	Reynolds
Doster	Heacock	McWhorter	Strother
Glenn	Hinson	Overton	Teasley
Gunn	Leith	Reese	Wilson
Hamburger	Lowe		

—22.

Nays: Messrs. Blackmon, Jones, King—3.

Which was a majority of the whole number elected to the Senate, and the said bill together with the message from the governor was ordered sent to the House of Representatives for its consideration.

RESOLUTION.

Mr. Lowe offered the following Joint Resolution:

S. J. R. 55. Resolved by the Senate the House concurring that the committee raised by the joint resolution of the two houses to prepare and report to the legislature a bill to regulate municipal corporations be and said committee is hereby required to complete said bill at least sixty days before the legislature meets after the recess and that said committee shall have 300 copies of said bill printed and mail two copies of same to each member of the legislature at least 30 days before the meeting of the legislature after recess.

Which was under a suspension of the rules adopted.

RECESS.

The hour of one o'clock having arrived the Senate took a recess until 3 o'clock this afternoon.

AFTERNOON SESSION.

The Senate reassembled at 3 o'clock.

ROLL CALL.

Upon the call of the roll a quorum of the Senators
~~answered to their names.~~

BILLS ON THIRD READING.

The Bill:

H. 668. To provide for the participation of the State of Alabama in the Jamestown exposition to be held on and near the waters of Hampton Roads, in the State of Virginia, in the year nineteen hundred and seven, in commemoration of the first permanent settlement made in the United States, by English speaking people, in the year sixteen hundred and seven.

Was taken up.

The following amendment offered by committee to-wit:

Amend by striking out the words "except the president who shall receive \$1,000.00 compensation for his services" where they have been inserted in section one after the word commission (being the amendment made by the House to the original bill).

Amend by striking out the House amendment.

Further amend section one by striking out the word five in line one and insert in lieu thereof the word four.

Amend section one by striking out the words "one of whom shall be chief commissioner and so named by the governor.

Amend by inserting after the word "who" in line three of section 1, the words "together" with the governor who shall be ex-officio chairman.

Amend section 1 by striking out the words "President A. in line 13.

Was adopted.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Bayles	Heacock	Miller	Spragins
Forrester	Hinson	McWhorter	Strother
Glenn	Jones	Overton	Teasley
Hamburger	King	Reese	Thomas
Hamner	Leith	Reynolds	Wilson
Hayes	Lusk		

—22.

Said bill as thus amended,

Was read a third time at length and passed.

Yeas, 18; nays, 6.

Bayles	Hayes	Lusk	Spragins
Doster	Hinson	Miller	Teasley
Forrester	Jones	Overton	Thomas
Glenn	King	Reese	Wilson
Hamburger	Leith		

—18.

Nays:

Messrs:

Blackmon	McWhorter	Strother	White
Lowe	Reynolds		

—6.

The Bill:

H. 619. To repeal an act entitled an act, to prohibit the sale or giving away of alcoholic, spirituous, vinous or malt liquors within 6 miles of Nances Creek Methodist church in Calhoun county, Alabama, or within the limits of precinct twelve, Coffee county; or within the limits of Carpenter's precinct in Jackson county; or within four miles of Mt. Nebo church in precinct twenty-seven; Thompson's Camp Grounds or Holy Tree in Bishop's precinct, all within the county of Jackson, or within four miles of the public school building in the city of Bridgeport, in the county of Jackson, or within three miles of Weeping Mary church in beat eight, Lee county; or within three miles of Friendship Baptist church in Crenshaw county; or within three miles of Zada church, Rama church, Union Hill church, precinct two, Henry county; or within two miles of Mary

Baptist church, precinct or beat fourteen, in Tallapoosa county; or within five miles of Pleasant Grove Baptist church in precinct nine, in Henry county; or within township twenty, range twenty-three in Tallapoosa county; or within four miles of Liberty Baptist church and Young's Chapel Methodist church, Etowah county; or within two miles of Green Hill church, and school house of Green Hill in Lauderdale county; or within Ashville beat, No. 1, in St. Clair county; or within three miles of Pierce's Chapel M. E. church, beat 7, Lee county; or within two miles of Clintonville academy in Coffee county; or within three miles of White Oak M. E. church, beat 5, in Barbour county; or within three miles of Cave Springs Baptist church, beat 11, in Etowah county; or within three miles of Marvin Chapel church in Pickens county; or within beat nine, in Limestone county; all of the within places are within the State of Alabama, and within five miles of Smith's Chapel, Jackson county; or within the corporate limits of the town of Guin, in Marion county; or within five miles of Canaan church and Woodland church, in Lauderdale county; and to repeal all laws heretofore passed prohibiting the sale, giving away or otherwise disposing of alcoholic, vinous or malt liquors, or other intoxicating drinks or beverages, or fruits preserved in alcoholic liquors within five miles of Pierce Chapel Methodist church in beat 7, Lee county, so far as said laws relate to the territory within five miles of Pierce Chapel Methodist church, passed by the General Assembly of Alabama 1892-1893, and approved on the 21st day of February, 1893, in so far as the same relates to the prohibition of the sales or giving away of alcoholic, spirituous, vinous or malt liquors, within three miles of Zada church, Rama church and Union Hill church, in Houston county, Alabama."

Was read a third time at length and passed.
Yeas, 24; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Leith	Reynolds
Bayles	Hamner	Lusk	Spragins
Blackmon	Hayes	Moody	Strother
Doster	Heacock	McWhorter	Thomas
Forrester	Hinson	Overton	White
Glenn	Jones	Reese	Wilson

—24.

The Bill:

H. 787. To fix the time of holding the circuit courts in the counties of Perry and Bibb.

Was read a third time at length and passed.

Yeas:

Messrs:

Bayles	Heacock	Lusk	Reese
Blackmon	Hinson	Merritt	Reynolds
Forrester	Jones	Miller	Spragins
Glenn	Leith	Moody	Wilson
Hayes	Lowe	McWhorter	

—19.

The Bill:

H. 846. To authorize the commissioners' court of Conecuh county to divide said county into road precincts and to appoint road overseers to have supervision of the public roads in said county, and to direct and prescribe the duties of said overseers and the duties of road apportioners in said county, and to provide for and define the duties of said overseers and apportioners and to authorize the commissioners' court of Conecuh county to purchase for said county the necessary teams, tools, road machines, implements and plows to be used for constructing, repairing, working and improving the public roads in said county and to provide for the construction and improvement of the public roads of Conecuh county, and to prescribe who shall work on the public roads in Conecuh county, and to provide for a road tax in lieu of work on the public roads of Conecuh county, and to provide for the appropriation of funds by the commissioners' court of Conecuh county for the construction, repairing, working and improving the

public roads in said Conecuh county; to prevent the obstruction of and damage to the public roads of Conecuh county and to prescribe punishment for obstructing or damaging the public roads in Conecuh county.

Was read a third time at length and passed.

Yeas, 21; nays, 0.

Yeas:

Messrs.

Barbour	Hayes	Merritt	Spragins
Bayles	Heacock	McWhorter	Strother
Blackmon	Hinson	Overton	Thomas
Forrester	Jones	Reese	White
Glenn	Lusk	Reynolds	Wilson
Hamner			—21.

The Bill:

H. 581. To fix the salary of the judge of the police court of the city of Birmingham, Alabama.

Was read a third time at length and passed.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Barbour	Hinson	Merritt	Reynolds
Forrester	Jones	Miller	Spragins
Glenn	Leith	McWhorter	Strother
Hamburger	Lowe	Overton	Thomas
Hamner	Lusk	Reese	Wilson
Hayes			—21.

The Bill:

H. 793. To fix the salary of the chancellor of the Northwestern Chancery Division of Alabama at the sum of forty-five hundred (\$4,500.00) dollars per annum, and to provide for the payment of as much thereof out of the State treasury as shall be paid to other chancellors, and for the payment of the remainder thereof out of the treasury of Jefferson county.

Was read a third time at length and passed.

Yeas, 19; nays, 4.

Yeas:

Messrs:

Barbour	Heacock	Merritt	Spragins
Forrester	Hinson	Miller	Thomas
Glenn	Jones	Moody	White
Hamburger	Lowe	McWhorter	Wilson
Hayes	Lusk	Reynolds	

—19.

Nays:

Messrs:

Doster	Leith	Overton	Strother
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—4.

The Bill:

H. 756. To amend section one of an act entitled "An act to incorporate the town of Sulligent in the county of Lamar, State of Alabama," approved February 12th, 1897.

Was read a third time at length and passed.

Yeas, 21; nays, 0.

Messrs:

Barbour	Jones	Miller	Spragins
Bayles	King	McWhorter	Strother
Doster	Leith	Overton	Teasley
Forrester	Lowe	Reese	Thomas
Hamburger	Lusk	Reynolds	Wilson
Hayes			

—21

The Bill:

H. 39. To authorize the courts of county commissioners of the several counties, and other courts of like jurisdiction to compromise certain claims in favor of the counties.

Was read a third time at length and passed.

Yeas, 24; nays, 0.

Messrs:

Barbour	Hayes	Miller	Spragins
Doster	Heacock	Moody	Strother
Forrester	Hinson	McWhorter	Teasley
Glenn	Jones	Overton	Thomas
Hamburger	Lusk	Reese	White
Hamner	Merritt	Reynolds	Wilson

—24.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in the Senate amendments to the House bill:

H. 769. To better provide for the revenue of the State and the more efficient assessment and collection of taxes, and for this purpose to create a commission to be known as the State Tax Commission of Alabama and to prescribe the powers and duties of said commission, and its mode of procedure and to abolish the office of State Tax Commissioner.

And the House has concurred in the Senate amendments to the House bill:

H. 763. To provide for a joint committee of the Senate and House to sit during the recess of the legislature to prepare a general municipal bill.

And has concurred in the Senate amendments to the following House bills:

H. 818. To appropriate funds to be expended by the State Board of Health for the protection and promotion of the Health of the people of the State.

H. 373. To provide for an election by the qualified electors of Tuscaloosa county to determine whether the sale, barter, exchange, giving away or otherwise disposing of vinous, spirituous or malt liquors, intoxicating beverages, bitters and proprietary medicines shall be wholly prohibited in said county and if a majority of said electors shall vote in favor of prohibition to prohibit the sale, barter, exchange, giving away, lending, delivering or otherwise disposing of spirituous, vinous or malt liquors intoxicating beverages, bitters and proprietary medicines and to prohibit the shipping into said county by any common carrier and the bringing into said county by any person for the use of any other person than himself, any such spirituous, vinous or malt liquors, intoxicating beverages, bitters or proprietary medicines from any place within this State, and to prohibit the taking or soliciting of orders for spirituous, vinous or malt liquors, intoxicating beverages, bitters or proprietary medicines in said county, and to prohibit the

giving of orders for spirituous, vinous or malt liquors, intoxicating beverages, bitters or proprietary medicines by any person in said county over any telegraph or telephone line, and to provide penalties for all such prohibited acts.

H. 237. To establish a normal school for the education of white male and female teachers at Daphne, in Baldwin county, Alabama.

H. 741. To make subject to taxation and to tax the franchises, or intangible property and assets of every person, association, company and corporation engaged as common carrier in this State in the business of transporting persons or property over any railroad, including street railroads, or in the business of operating any cars over any railroad for the transportation of freight or passengers, including sleeping cars, parlor or palace cars, dining cars, chair cars, tank cars, and cars of any other kind; or engaged in operating for gain any telegraph or telephone lines or plant or business; or in operating any plant or business for the production, manufacture, distribution or sale of gas, water, electricity, electric power, electric light, steam heat, oil, refrigerated air, or other like substances, by means of pipes, wires, or conduits passing on, over, under or through any territory, street alley or highway in this State; or in the business of operating for gain, dockage, wharfage, canal, freight or passenger depots, stations or terminals, or engaged in any other business which may be dependent upon the grant of public powers or privileges, or which may involve the operation of any public utility; and to provide for the valuation and manner of ascertaining the values of such franchises, or intangible properties, and the distribution of the same for local taxation, and the levy, assessment and collection of said taxes thereon.

H. 615. To amend sections 1321 and 1322 of the code of 1896.

H. 611. To further provide for the revenue of the State, by requiring all foreign corporations authorized to do business in this State under the laws of the State of Alabama, to pay an annual franchise tax.

And the Speaker of the House having signed the following House bills your signature thereto is requested:

H. 546. Authorizing the transfer of any civil cause ~~now pending in the circuit court of Jefferson county, in the State of Alabama, in the city court of Birmingham,~~ in said State, or in the chancery court of said county back to the city court of Bessemer in said county, in all cases where the cause has been removed from said city court of Bessemer to said circuit, city or chancery court by and at the instance of the defendant.

H. 788. To make further provisions for defraying the expenses of the legislature.

H. 717. To require the sheriff of Hale county to procure from the office of the United States Internal Revenue Collector for the State of Alabama, a list of the persons, firms or corporations in Hale county to whom a license has been issued for the sale of spirituous vinous or malt liquors, and to publish same in some newspaper published in said county.

H. 708. To authorize the court of county commissioners of Walker county, Alabama, to borrow money and pay interest thereon.

H. 545. To repeal "an act authorizing the transfer of any civil cause pending in the city court of Bessemer in the county of Jefferson, in the State of Alabama, to the circuit court of Jefferson county in said State or to the city court of Birmingham in said State, or to any other court of competent jurisdiction sitting in the city of Birmingham," approved September 26, 1903.

H. 538. To provide for the election of four commissioners of Fayette county, Alabama, by the qualified electors of said county.

H. 667. For the relief of Mary A. Pope, widow of an ex-confederate soldier, being a resident of Marion county, Alabama.

H. 688. To create the office of county solicitor for Madison county and to prescribe his duties and powers,

and to fix his compensation or salary, and to provide for his appointment and election.

H. 792. To fix and provide for the salaries of the judges of the city court of Birmingham.

H. 811. To provide for the payment of expenses incurred by the doorkeeper of the House and doorkeeper of the Senate.

H. 712. To fix and provide for the salaries of the judges of the criminal court of Jefferson county.

H. 718. For the relief of the dispensary of the town of Gordon, Houston county, Alabama, whereas, the dispensary in the town of Gordon, Houston county, Alabama, did pay to the State of Alabama, \$250.00 for the year 1906, as a license to sell spirituous, vinous and malt liquors in said town, and whereas, the law under which said dispensary was run was held and declared unconstitutional by the circuit court of Houston county, Alabama, after the taking out and paying for said license and prior to the 20th day of January, 1906; and the commissioners who were running and operating said dispensary were ousted by said court, and ordered to desist by said court from further running or operating of said dispensary; and said commissioners, in obedience to said order, ceased to run said dispensary any longer, or to sell spirituous, vinous or malt liquors under the said license any longer.

H. 731. To detach and take a portion of the territory of Conecuh county and attach and add the same to Escambia county.

H. 460. To repeal an act, approved December 6th 1900, entitled an act to make all fines and forfeitures in Dale county, Alabama, payable only in lawful money of the United States.

H. 114. To prohibit the sale, barter or exchange of vinous, spirituous or malt liquors or intoxicating biters or beverages at any place in the county of Etowah, except within the corporate limits of the cities of Gadsden and Attalla.

H. 670. To provide for and regulate the working of the public roads in Lee county, Alabama.

H. 372. To authorize cities, towns, and other municipal corporations to make certain improvements on the sidewalks, streets, avenues, alleys, highways, or other public places of such city, town or other municipal corporation; to construct sewers; to assess the cost of such improvements, or any part thereof, upon the property ~~abutting such street, avenue, alley, highway, or other~~ public place, or drained by such sewers, or against the right of way of any railroad so improved or drained by such sewers; to make such assessments a lien on such property, and to regulate appeals from such assessments, to provide methods for the enforcement of such lien, and the payment of such assessment and penalties; and to authorize the issue of bonds to pay for such improvements.

H. 727. To provide for the appointment of an official stenographer for the city court of Montgomery, to prescribe his duties and to fix his compensation.

H. 167. To authorize the establishment of State depositories for State funds; to authorize State and county officers to deposit State funds therein to provide for the regulation and control of such depositories; to provide security for the funds deposited therein; and to provide penalties for the violation of the rules and regulations prescribed for the establishment, management and control of such institution."

Cyrus B. Brown, Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read at length by the secretary, signed the above House bills, the titles of which are set out in the foregoing message from the House, the reading at length of said bills having been dispensed with, by a two-thirds vote of a quorum of the Senate present.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following Senate bills:

S. 12. To define, prohibit and punish aiding and abetting or counseling or procuring an unlawful sale, purchase, gift or other unlawful disposition of spirituous, vinous or malt liquors, or other liquors prohibited by law from being sold, given or otherwise disposed of.

And the House has concurred in the report of the conference committee on the disagreement of the two Houses on the Senate amendment to the House bill, H. 333, To make an appropriation for the expenses of encampment of the Alabama National Guard for the years 1907, 1908, 1909, and 1910.

Cyrus B. Brown,
Clerk.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. President:

The committee on Enrolled Bills report that they have examined and compared the following Senate bills:

S. 230. To provide for the collection, compilation and publication of statistics of cotton ginned within the State; to establish a bureau of cotton statistics, and to prescribe the duties and powers of such bureau; to make appropriation for the maintenance thereof, to require ginnerers to make reports thereto; and to fix penalties for the violations of the provisions of this act.

S. 293. To fix the salary of the marshal and librarian of the supreme court and to make appropriation therefor.

And found the same correctly enrolled.

E. P. Thomas,
Acting Chairman.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read at length by the secretary, signed the above Sen-

ate bills, the titles of which are set out in the foregoing report from the committee on Enrolled Bills, the reading at length of said bills having been dispensed with by a two-thirds vote of a quorum of the Senate present.

MESSAGE FROM THE HOUSE.

Mr. President.

The House has amended, as therein shown, and as amended has passed the following Senate bill:

S. 154. To define and regulate public warehouses in incorporated towns and cities for the storage of cotton or other articles of value for compensation, and to provide a punishment for the violation of this act.

And has passed:

S. 334. To vacate and annul that part of Twenty-seventh street, in the city of Birmingham, Alabama, lying between First avenue, north, and Tenth avenue, north, in said city, as a public street or highway, and to annul and extinguish the dedication thereof.

And returns said bills to the Senate.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Thomas, the Senate concurred in the following House amendment to S. 154, the title to which is set out in the foregoing message from the House, to-wit: Amend section 2 of bill by striking out in line 26 the words "upon a summary proceeding before him," and insert in lieu thereof the words "upon a regular proceeding before him for that purpose."

Yeas, 18; nays, 1.

Yeas:

Messrs:

Barbour	Leith	McWhorter	Teasley
Blackmon	Lowe	Overton	Thomas
Glenn	Lusk	Reese	White
Hayes	Merritt	Reynolds	Wilson
Jones	Moody		

—18.

Nays: Mr. Bayles—1.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker of the House having signed the following House bills your signature thereto is requested:

H. 639. To amend section 2 of an act entitled an act "To establish a charter for the town of Ashland, Clay county, Alabama.

H. 240. To enlarge the duties of the department of Archives and History.

H. 614. To make subject to taxation in this State, money lent, solvent credits and credits of value and moneyed capital.

H. 709. To authorize the town of Haleysville in Winston county, to establish and operate a dispensary for the purpose of buying and selling spirituous, vinous and malt liquors within its corporate limits, and to provide for the distribution of certain profits arising therefrom, and to further regulate or prohibit the sale of such liquors within said town.

H. 238. To authorize the commissioners' court of Baldwin county to surrender and convey the county buildings and grounds at Daphne to the trustees of a normal school to be established in said county.

H. 764. To provide for the employment and pay of a servant for the supreme court.

H. 612. To amend an act entitled an act to regulate the collection of the poll taxes in the State of Alabama, approved Feb. 12th, 1903.

H. 330. To establish an Immigration Board for the State of Alabama, to define its duties, to appropriate money to pay the expenses for carrying out its provisions, and to provide for the appointment of an Immigration Commissioner, to define his duties and to fix his compensation.

Cyrus B. Brown,
Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read at length by the secretary, signed the above Senate

bills, the titles of which are set out in the foregoing message from the House, the reading at length of said bills having been dispensed with by a two-thirds vote of a quorum of the Senate present.

BILLS ON THIRD READING.

The bill:

~~H. 222. To amend section two (2) of an act to establish the inferior court of Demopolis precinct, Marengo county, Alabama, in lieu of all justices of the peace therein to be called the city court of Demopolis, approved Sept. 26, 1903, and by adding section 14 of said act.~~

Was read a third time, at length, and passed.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Barbour	Hinson	Merritt	Strother
Doster	Jones	Miller	Teasley
Forrester	King	McWhorter	Thomas
Glenn	Leith	Reynolds	White
Hayes	Lusk	Spragins	Wilson
Heacock			

—21.

The bill:

S. 375. To repeal an act entitled an act to incorporate the town of Haynesville.

Was read a third time, at length, and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Barbour	Hinson	Merritt	Reynolds
Forrester	Jones	Miller	Spragins
Glenn	King	Moody	Strother
Hamburger	Leith	McWhorter	Teasley
Hayes	Lowe	Overton	Thomas
Heacock	Lusk	Reese	White

—24.

And the same was ordered sent to the House without engrossment.

The bill:

H. 699. To repeal an act entitled an act to provide for the running at large of domestic live stock in the precincts of Hazel Green and all that section of Hurricane lying north of the line that formerly divided the precinct of Hurricane from the precinct of Maysville, Madison county, (approved February 9th, 1901.)

Was read a third time, at length, and passed.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Barbour	Heacock	Merritt	Spragins
Forrester	Hinson	Miller	Strother
Glenn	Jones	McWhorter	Thomas
Hamburger	King	Overton	White
Hayes	Leith	Reynolds	Wilson

—20.

The bill:

H. 655. To establish a dispensary in and for the town of Dayton, in the county of Marengo, State of Alabama, and to provide for the conduct and regulation of the same.

Was read a third time, at length, and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Barbour	Heacock	Lusk	Reynolds
Doster	Hinson	Merritt	Spragins
Forrester	Jones	Miller	Strother
Glenn	King	Moody	Teasley
Hamburger	Leith	McWhorter	Thomas
Hayes	Lowe	Overton	Wilson

—24.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended, by way of a substitute, and as amended has passed:

S. 188. To provide that under certain conditions an election may be held in the several counties in Alabama, each county acting by and for itself only, as to whether

municipal corporations in such counties shall have authority to buy and sell spirituous, vinous and malt liquors; to provide that the voters at said election shall vote "for dispensary" or "against dispensary", to declare the result and effect of said election, to define the term "dispensary," as used in this act, to provide that ~~in those counties in which, at the election aforesaid, a~~ majority of the votes are cast "For Dispensary," the municipal corporations in said counties shall have authority to establish, maintain and operate dispensaries, and in and through such dispensaries to buy and sell spirituous, vinous and malt liquors; to prohibit and punish the selling of liquors and intoxicating drinks in said counties in any other way than by such municipal corporations through their dispensaries; to declare that the violation of certain provisions of this act shall be a misdemeanor and to provide for the punishment thereof, and to further regulate the sale of liquors in said counties; this act not being intended, however, to repeal or affect any law which prohibits the sale of liquors in any county or part of a county or to repeal or affect any law which authorizes municipal corporations to buy and sell liquors in any county or part of a county by and through dispensaries, or to repeal any local law authorizing the sale, without license, of wines made from grapes or berries grown in this State.

And returns same herewith to the Senate.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Moody, the Senate concurred in the following amendment adopted by the House to Senate bill No. 188, the title to which is set out in the foregoing message from the House, to-wit:

A BILL

To be entitled an act to provide that under certain conditions an election may be held in the several counties in Alabama, each county acting by and for itself only, as to whether municipal corporations in

such counties shall have authority to buy and sell spirituous, vinous or malt liquors; to provide that the voters at said election shall vote "For Dispensary" or "Against Dispensary"; to declare the result and effect of said election; to define the term "dispensary", as used in this act; to provide that in those counties in which, at the election aforesaid, a majority of the votes are cast "For Dispensary", the municipal corporations in said counties shall have authority to establish, maintain and operate dispensaries, and in and through such dispensaries to buy and sell spirituous, vinous and malt liquors; to prohibit and punish the selling of liquors and intoxicating drinks in said counties in any other way than by such municipal corporations through their dispensaries; to declare that the violation of certain provisions of this act shall be a misdemeanor and to provide for the punishment thereof; and to further regulate the sale of liquors in said counties—this act not being intended however, to repeal or affect any law which prohibits the sale of liquors in any county or part of a county, or to repeal or affect any law which authorizes municipal corporations to buy and sell liquors in any county or part of a county by and through dispensaries, or to repeal any local law authorizing the sale, without license, of wines made from grapes or berries grown in this State.

Section 1. Be it enacted by the Legislature of Alabama as follows, to-wit: One-fifth of the qualified voters of any county, as shown by the preceding registration, may file with the probate judge of their county a petition asking that an election be held in said county as to whether dispensaries shall be established in such county. Fifteen days after the filing of such petition the probate judge shall order an election to be held in said county on some Tuesday that shall not be less than forty nor more than sixty days subsequent to the day on which such order is made, nor within thirty days of the time of holding in said county any State or national,

general or primary election. The probate judge shall furnish the sheriff with a copy of said order, and the sheriff shall give notice of said election by publication for twenty days in some newspaper of his county, or, if no newspaper is published in such county, by posting notices of such election in seven public places in said county.

~~Sec. 2. The probate judge, clerk of the circuit court and sheriff of the county in which an election is ordered under this act shall, within ten days after the election is so ordered, appoint three inspectors or managers, two clerks and one returning officer for each precinct, polling or voting place in said county to manage, conduct and make the returns of such election. Such managers and clerks so appointed shall as far as practicable be equally divided between those who favor and those who oppose the establishment of dispensaries in such county for the sale of liquor. If county executive committees have been elected or appointed to conduct the canvass on either side, and if before appointment of inspectors and clerks the chairman of any such committee furnishes the probate judge, clerk of the circuit court, and sheriff of his county, which said three officers shall be a board of supervisors, with a list containing as far as practicable the names of three men for each precinct in said county, all of said men having the qualifications required by law of inspectors of elections when county officers are to be elected, then from said list the board of supervisors shall select for each precinct one man who shall be one of the managers for the precinct for which he was one of the men suggested. From the names suggested for the several precincts such board shall select one man as a clerk for the precinct for which he was suggested.~~

Sec. 3. As soon as practicable after the appointment of such managers, clerks and returning officers for said election, the sheriff shall notify them in writing of their appointment.

Sec. 4. The probate judge shall prepare and provide the necessary ballots, poll lists, tally sheets, return sheets, instructions for holding the election, ballot

boxes, voting booths, and other stationery or material necessary for the proper holding of the election, and it shall be the duty of the sheriff to see that the same are delivered to one of the managers of each election precinct or voting place before the day of election. On the ballots to be used at said election shall be written or printed the words, "For Dispensary," and under them the words "Against Dispensary." Electors who favor the dispensary system for the sale of liquors that is hereinafter set forth shall make on the ballot a cross mark before the words, "For Dispensary," and electors who oppose such system shall make on the ballot a cross mark before the words, "Against Dispensary." But no ballot or vote shall be rejected or the count thereof refused for failure to comply with this section, if the ballot clearly shows or indicates the choice of the voter. Any person who sells or gives away in any county in which said election is held any liquors or intoxicating drinks of any kind or description on the day on which the aforesaid election is held, or on the day next preceding, shall be guilty of a misdemeanor, and, on conviction, shall be fined not less than ten nor more than one hundred dollars.

Sec. 5. Immediately after the polls are closed, the managers shall duly ascertain the result of the election at their respective voting places, and make due returns of the same to the probate judge of said county and deliver the ballot box containing the returns so made together with the ballots, poll lists, tally sheets and other necessary papers to the returning officer for such voting place, who shall deliver the same to the probate judge of such county at his office on the first day after the election.

Sec. 6. The probate judge, clerk of the circuit court, and sheriff, acting as a board of supervisors, shall in open session on the first Saturday after the election, canvass the returns so made and under oath make a written report or statement declaring the result of the election as to the entire county, showing the number of votes cast in each precinct "For Dispensary," and the number cast in each precinct "Against Dispensary."

This report shall be filed at once in the office of the probate judge. In a newspaper published in his county, or, if there be no newspaper in such county, then by a notice posted at the door of the court house and in two other public places in his county, the probate judge shall make a proclamation stating the total vote of the county "For Dispensary" and the total vote of the county ~~"Against Dispensary" and which side had a majority~~ at such election, and the amount thereof. If a majority of the votes cast at such election were "For Dispensary," then in such proclamation the judge of probate shall state and declare that his county, giving its name, is and shall be a dispensary county under the dispensary local option act of 1907.

Sec. 7. Any manager, clerk, returning officer or other officer of said election who, without sufficient excuse, shall fail or refuse to perform any duty required of him under the provisions of this act or of the general election law shall be liable to a penalty of not less than twenty-five nor more than five hundred dollars to be recovered in a suit brought against him by the county in which the election was held. He shall also be guilty of a misdemeanor, and, upon conviction, shall be fined not less than twenty-five dollars.

Sec. 8. All men who in their several counties are qualified electors under the constitution and general election laws of this State at the time of the election herein provided for, and only such, shall be entitled to vote at any election held under the provisions of this act.

Sec. 9. It shall be the duty of the sheriff, deputy sheriff, or any constable to arrest without process any person who violates the provisions of this act, or the provisions and incidents of said election laws, and commit him to jail until he shall give bond, with good and sufficient sureties, to be approved by the sheriff, for his appearance at the next term of the circuit, county or city court having jurisdiction of the offense, to answer any indictment which may be found against him.

Sec. 10. A contest of the election held under this act in any county may be made by any qualified elector of

the county by executing a bond, with two sufficient sureties, to be approved by the judge of probate of the county for the payment of the costs of the contest. Notice of the contest shall be served on the circuit solicitor of the county in which the contest is instituted. Upon the execution of a bond for costs signed by three or more qualified electors of such county, to be approved by the judge of probate of the county, said solicitor shall respond in the name of the county, and the county shall be contestee. Both in the lower and appellate courts said contest shall be a preferred case.

Sec. 11. All provisions and incidents of the election law of this State, including a contest, which pertain to the election of judges of probate shall be observed at the election herein ordered, as far as the same are applicable and not out of harmony with the provisions of this act. In general, all elections held under this act shall be held and conducted, except where it is otherwise provided in this act, under the general election laws of this State, and the officers of election under the general election laws of this State shall discharge and perform the same duties and receive the same compensation as are required of them and is provided for them in the general election laws of this State. Such compensation and all costs of election shall be paid out of the county treasury of the county in which the election is held.

Sec. 12. Different elections in the same county may be held under this act. But when any election has been held under this act in any county, no other election shall be held in such county under this act within two years from the date of such election.

Sec. 13. All counties in which, at the election held under the provisions of this act, a majority of the votes were ascertained and declared to have been cast "For Dispensary," are designated in this act as "dispensary counties under the dispensary local option act of 1907."

Sec. 14. Each incorporated city or town in each of the "dispensary counties under the dispensary local option act of 1907," except the towns hereinafter described, shall have authority on and after the first day of

January next succeeding the time of the election held under this act in the county in which such cities and towns are severally situated, to establish, maintain and operate in its corporate name, in its corporate capacity and through its legislative body, the business of buying and selling spirituous, vinous, and malt liquors, subject to the conditions and restrictions hereinafter mentioned. ~~The places at which said business of buying~~

and selling liquors is carried on shall be called a dispensary. The term "dispensary" in a general sense includes the place at which liquors are stored. But in this act the term when it refers to a particular place, refers to the place where liquors are sold. In each of said towns or cities which has a population of ten thousand persons or less, there shall be one dispensary, and only one. In towns or cities that have a population greater than ten thousand, and not exceeding twenty thousand, there may be two dispensaries. In general, there may be in each city a dispensary for every ten thousand of its population. Cities whose population is over twenty thousand, and between multiples of ten thousand, may have a dispensary for every ten thousand of its population, and an additional dispensary for the excess of its population over the lower one of the said multiples. But no dispensary shall be established in a town that has less than three hundred inhabitants unless said town is a county site. The population of towns and cities shall be determined by the last preceding federal census. These dispensaries shall be established and carried on only within the corporate limits of such towns or cities. Each municipality that carries on such business shall invest in the business at the outset a sum of money not less than three hundred dollars, nor more than ten thousand dollars, for each dispensary it may establish and carry on. The liquors bought and sold, as herein provided, shall be of the purest and best quality.

Sec. 15. The office of purchasing agent for the dispensary is hereby created, and there shall be a purchasing agent for each dispensary that may be established. The first purchasing agent for a dispensary or dispen-

saries established in any county under this act shall be elected within three months after the judge of probate has made proclamation as above provided that his county is one of the dispensary counties under the dispensary local option act of 1907, and the term of office of said purchasing agent shall begin on the day on which the dispensary is to open and shall continue for two years. The term of their successors in office shall be two years. Purchasing agents shall not hold office for more than two terms in succession. But the filling of a vacancy shall not be considered as one of said successive terms. Under all events, however, such purchasing agent shall hold office until his successor is elected and qualified. The purchasing agent shall purchase and deliver to his dispenser, the man who fills an office hereinafter created, all the liquors that are to be sold in the dispensary. The purchasing agent is authorized to employ a chemist to inspect and analyze any liquors which he contemplates purchasing, or has already purchased, and shall not deliver to the dispenser any liquor which the chemist has pronounced unsuitable for use. Said agent shall return such liquors to the person, firm or corporation from whom he bought them and make reclamation therefor if he has paid for the same. He may buy in bulk and have the liquors put in bottles. Whiskies, brandies and gin shall be put in bottles that hold only one pint, in bottles that hold only one-half pint, in bottles that hold only one-fourth of a pint, in bottles that hold only one-eighth of a pint, and in bottles that hold only one-sixteenth of a pint,—to the end that persons may be able to buy whiskies, brandies and gin in the small quantities above mentioned. But no whiskies, brandies or gin shall be put in bottles that hold more than one pint. The premises in which the bottling is done shall be different from those in which the dispensary is situated. But they shall be in the same town as the premises of the dispensary. The place where the liquors are received and bottled and from which they are sent to the dispensary shall be called the storage room. The storage room shall be a part of

the dispensary. But when the term dispensary is used in this act to designate a particular place, it refers, unless the contrary is indicated by the context, to the place where liquor is sold, and not to the storage room. This storage room shall not be open and work shall not be done in the same between the hours of 6 p. m. of one day and 6 a. m. of the next day. The purchasing agent shall pay cash for all liquors purchased by him, by drawing his warrant on the dispenser, and the dispenser shall pay said warrant. The purchasing agent shall not sell or give away any liquor whatever. Each purchasing agent shall select and appoint each and every assistant, servant and employee that may be used in or about his work, and he shall be liable civilly for the acts and omissions of each of said assistants, employees. The number of the purchasing agent's assistants, servants and employees, and the salaries and wages to be paid to each, shall be determined by the legislative body of the town or city in which the dispensary is located. Said salaries or wages shall be paid monthly on the last day of each month, and they shall be made known to the assistants, servants and employees before such assistants, servants and employees are engaged. Said salaries and wages shall in no way or manner whatever be made or permitted to depend upon the amount of the sales of the dispensary. The purchasing agent shall keep an accurate account of what he purchases and what he delivers to his dispenser. He shall fix the selling price of liquors, and when bottling liquors he shall put a label on each bottle which shall state the kind and price of the liquor it contains. The price shall be an amount not greater than fifty per cent. (50 per cent.) above the original cost or invoice price. He shall keep an accurate account of all liquors purchased by him and of all liquors delivered by him to his dispenser, and for all liquors so delivered he shall take a receipt from the dispenser. On the first day of each month the said purchasing agent shall make a report to the legislative body of his town or city on such forms and in such way and manner as said body may direct. All books, papers, accounts and records of the

purchasing agent shall at all times be open to the inspection of the dispenser and of the legislative body of his town or city and of every member of said body, and of every citizen of the county. Under the provisions of this act, and under the ordinances, rules and regulations of the legislative body of the town or city in which the dispensary is located—which said ordinances rules and regulations shall in no wise be inconsistent with the provisions of this act—each purchasing agent shall manage and conduct the storage room of the dispensary for which he was elected and discharge the duties of his said office.

Sec. 16. If the purchasing agent personally takes or receives, directly or indirectly, any commission, percentage, rebate, gift, present or compensation of any kind whatsoever, on account of his connection with his office, he shall be deemed guilty of a misdemeanor, and, on conviction, shall be fined not less than ten nor more than one thousand dollars, and also be sentenced to hard labor for the county for not more than twelve months,—one or both at the discretion of the jury.

Sec. 17. The office of dispenser is hereby created, and there shall be a dispenser for each dispensary that may be established. The first dispensers shall be elected within three months after the aforesaid proclamation of the judge of probate, that his county is a dispensary county under the dispensary local option act of 1907. Their term of office shall begin on the first day of January next succeeding said proclamation, and shall continue two years. The term of their successors in office shall be two years. Dispensers shall not hold office for more than two terms in succession. But the filling of a vacancy shall not be considered one of said successive terms. Under all events each dispenser shall hold office until his successor is elected and qualified. Under the provisions of this act, and under the ordinances, rules and regulations of the legislative body of the town or city in which the dispensary is located—which said ordinances, rules and regulations shall in no wise be inconsistent with the provisions of this act—each dispenser shall manage and conduct the dispensary for

which he was elected. Each dispenser shall select and appoint each and every assistant, servant and employee that may be used or employed in or about his dispensary, and he shall be liable civilly for the acts and omissions of each of said assistants, servants and employees. The number of the dispenser's assistants, servants and employees, and the salaries and wages to be paid to each, shall be determined by the legislative body of the town or city in which the dispensary is located. ~~Said salary or wages shall be made known to the assistants, servants and employees before such assistants, servants and employees are engaged, and said salaries or wages shall be paid on the last day of each month for services rendered during that month. Such salaries and wages shall in no way or manner whatever be made, or permitted to depend upon the amount of the sales of such dispensary.~~

Sec. 18. For the purpose of aiding, as hereinafter prescribed, in the selection of purchasing agents and dispensers, a meeting of the court of county commissioners of each county in whose towns or cities a dispensary is herein authorized to be established, shall be called whenever necessary. At any regular or called meeting of said court of county commissioners, that may be held within two months after the judge of probate has issued his proclamation declaring that his county was one of the aforesaid dispensary counties under the dispensary local option act of 1907, and at any regular or called meeting of said court that may be held between the last day of September of the year in which said proclamation was made, and the sixteenth day of December of that year, and at any regular or called meeting of said court that may be held between the last day of September and the sixteenth day of December every two years after said period of said last mentioned year, said court of county commissioners shall furnish to the mayor or other chief executive of those towns and cities in their respective counties in which dispensaries are herein authorized to be established, the names of three times as many men as the number of dispensaries which such towns and cities of their respective counties are

severally authorized to establish, specifying the men who are nominated or assigned to each town or city in their county and stating that the men whose names are so furnished are the men from whom the legislative body of such towns and cities must select its dispenser or dispensers. These men shall be residents of the county by whose court of county commissioners they may be selected, shall be twenty-one years old, and shall be regarded as honest, temperate, law-abiding, and competent to manage and conduct a dispensary in said towns or cities. Before the first day of the first term of office, and before the first day of each succeeding term of office herein provided for, the legislative body of each of said towns and cities shall, from the names so nominated and furnished, elect a dispenser or dispensers for its town or city, assigning to each dispenser his dispensary. Said dispenser, under the direction and control of the legislative body of the town or city in which his dispensary is situated—so far as said direction and control are not inconsistent with the provisions of this act—shall sell liquors and manage and conduct the dispensary for a term of two years, and until his successor is elected and qualified. But he shall not interfere with the duties and privileges of the purchasing agent that are herein prescribed, or control him in such matters. Each town or city that has a dispensary shall provide its dispenser with whatever money, within the aforesaid limits, that it wishes to use in conducting the business. Before entering upon the duties of his office, each dispenser shall make affirmation before an officer authorized to administer oaths, that he will obey all laws of the State of Alabama, and of the town or city of which he is dispenser, relating to the sale, giving away, or delivery of liquors of any kind. He shall also, before beginning business, execute to his town or city a bond, conditioned for the honest and faithful discharge of his duty as such dispenser. Said bond shall be for the sum of three thousand dollars, shall have two sufficient sureties, and shall be approved by the mayor, or other chief executive of said town or city. Any person who may be injured by the failure of the dispenser

to observe the provisions of this act or of any rule, ordinance or regulation of his town or city in reference to his dispensary may sue said dispenser on his said bond. For neglect of business, incompetency, misfeasance or malfeasance in office, a dispenser may be impeached by the legislative body of the town or city of ~~which he is dispenser, and, for cause, to be judged of by said body, said dispenser may be removed from office.~~ Whenever a vacancy in said office occurs in any town or city, from any cause whatever, the mayor, or other chief executive of such town or city, shall certify that fact to the judge of probate of the county in which said town or city is situated. Said mayor, or other chief executive, of such town or city may appoint a temporary dispenser until the vacancy shall be filled as herein provided. But such temporary dispenser shall in no event hold office longer than twenty days. Said judge shall immediately call a meeting of the court of county commissioners of his county, and said court shall nominate and furnish to said mayor, or other chief executive, the names of three men having the aforesaid qualifications for dispenser, and from these three names the legislative body of said town or city shall elect a dispenser to fill the vacancy.

Sec. 19. All the provisions of the foregoing section in reference to the mode of electing dispensers, the oath and qualifications of dispensers, the bond and liabilities of dispensers, the impeachment of dispensers, the filling of vacancies in the office of dispenser, and all other provisions of said section, unless the contrary is indicated by the context, or elsewhere in this act—shall, the names being changed, apply to and be observed in the case of purchasing agents.

Sec. 20. The legislative or governing body of the towns and cities in which dispensaries may hereafter be operated under this act shall pay to its purchasing agent or purchasing agents and to its dispenser or dispensers, a salary which shall be fixed by said body before the dispensers and purchasing agents are elected and shall not be changed during their term of office. The salaries of dispensers shall not be less than five hun-

dred dollars nor more than twenty-five hundred dollars per annum, and shall be paid in equal monthly installments on the last day of each month. The salary of the purchasing agent shall be eighty per cent of that of the dispenser and shall be payable monthly on the last of each month. Said legislative body shall not make or permit the amount of the salary of the purchasing agent or the amount of the salary of the dispenser to depend in any way, or in any degree whatever, on the amount of sales that may be made by its dispenser or dispensers.

Sec. 21. The dispenser shall not sell, hand, or deliver liquors to the same person oftener than once in any one day whether the sale, handing or delivery be to such person on his own account or for his own use and benefit, or on account of or for the use and benefit of some other person, or some firm or corporation. He shall not make any sale between the hours of 6 p. m. of one day and 6 a. m. of the next day.

Sec. 22. If the dispenser, or any of his assistants, servants or employees, sells, hands or delivers liquors of any kind to the same person oftener than once in any one day, or makes any sale of such liquors between the hours of 6 p. m. of one day and 6 a. m. of the next day, the person so selling, handing or delivering shall be guilty of a misdemeanor, and on conviction, shall be fined not less than ten nor more than one hundred dollars. Any person who purchases, or attempts to purchase, liquor from the dispenser oftener than once in any one day shall be guilty of a misdemeanor, and, on conviction, shall be fined not less than ten nor more than one hundred dollars.

Sec. 23. Said dispenser shall not himself drink, consume or give away liquor of any kind, or in any quantity, on the premises of his dispensary. Said dispenser shall not permit or suffer any assistant, servant, employee, purchaser, or any person whomsoever to drink, consume, or give away, any liquor on said premises. Said purchasing agent shall not himself drink, consume, or give away liquor of any kind, or in any quantity, on the premises of the storage room. Said purchasing

agent shall not permit or suffer any assistant, servant, employee, or any person whomsoever to drink, consume, or give away any liquor on the premises of his storage room. But this section shall not be construed so as to prohibit the dispenser or purchasing agent, or some employee designated by the latter, from sampling liquors which the purchasing agent may contemplate purchasing. ~~Said dispenser and said purchasing agent shall report to the grand jury any one whom they, or either of them, believes to be guilty of violating the provisions of this section.~~

Sec. 24. Any person who drinks or consumes any liquor on the premises of the dispensary or on the premises of the storage room, except the dispenser, the purchasing agent, or an employee of the purchasing agent when they are sampling liquors, as permitted in section twenty-three (23) of this act, shall be guilty of a misdemeanor, and, on conviction, shall be fined not less than one hundred dollars.

Sec. 25. The dispenser shall not keep in his dispensary any broken package of liquor. If any package should accidentally be broken, the contents shall at once be bottled and the bottle sealed. The dispenser shall not sell any spirituous, vinous or malt liquors that are not contained in sealed packages.

Sec. 26. The dispenser shall sell no liquors of any kind, except those he receives from the purchasing agent of his dispensary. He shall not sell on Sundays, or sell to minors or to persons of known intemperate habits. He shall not sell at one time more than one pint of whiskey, brandy, gin or of any two of these liquors, or of all of them together. He shall sell for cash only. He shall keep an accurate record of the amount of each day's sales. All books, papers, accounts and records of the dispenser shall at all times be open to the legislative body of his town or city and of every member thereof and of every citizen of the county. On the first day of each month each dispenser shall make to the legislative body of his town or city a complete statement of the assets and liabilities of his dispensary as they stood on the last day of the preceding month. Said report shall

also state the average number of sales for each business day during the preceding month. Said report shall at once be published in a newspaper published in the dispenser's county. Such report shall be made on such forms, and under such directions, rules and regulations as the legislative body may prescribe. In said report the dispenser shall give full and accurate information as to the condition, expenses, profits, losses and status of his business. He shall give other and additional information, orally or in writing, whenever and as often as the legislative body of his town or city, or any member of said body may require.

Sec. 27. If the dispenser, or any of his assistants, servants or employees sells any liquors except those which the dispenser has received from the purchasing agent of his dispensary, or sells any liquor on Sundays or sells to minors or to persons of known intemperate habits, or sells at any one time more than one pint of whiskey, brandy or gin, or of any two of these liquors or of all of them together, such dispenser, servant, or employee shall be guilty of a misdemeanor, and, on conviction, shall be fined not less than ten nor more than one hundred dollars.

Sec. 28. Subject to the provisions of this act, the legislative body of the towns and cities of dispensary counties under the dispensary local option act of 1907 may maintain and operate dispensaries, and regulate and control the management and conduct of the same.

Sec. 29. The dispenser shall buy furniture, fixtures, and appliances for his dispensary and for the storage room, pay all expenses of the dispensary, including those of the storage room, and take a voucher for all moneys disbursed. The expenses of the storage room shall be paid by the dispenser on warrants drawn on him by the purchasing agent. Unless instructed by the legislative body of his town or city not to keep the dispensary money in a bank the dispenser shall deposit the proceeds of each day's sales and all other dispensary money, if he has any, in some solvent bank. The dispensary money shall not be put on the dispenser's individual account in the bank, but to his credit as dis-

penser, and the dispensary money shall not be mixed with the dispenser's private funds. Only the dispenser is authorized to draw drafts or checks for dispensary money deposited in a bank. On the first day of each month, the dispenser shall pay to the treasurer of his town or sixty per cent. of the net profits of the dispensary for the month preceding, and the treasurer of his county forty per cent. of said net profits. ~~The money so paid to the treasurer of the town or city shall be the exclusive property of such town or city, and may be used by the legislative body thereof in any way in which said body is authorized to spend the money of said town or city. The money that is so paid to the county treasurer shall be the exclusive property of such county, and may, in the discretion of the court of county commissioners of said county, be used, in part, in giving pensions to such confederate veterans of their county as are entitled to receive pensions under the laws of the State. Money that is to be paid to confederate veterans shall be distributed under the direction of said county commissioners. But such distribution and payment shall be made, as far as practicable, in the same manner in which confederate pensions are distributed and paid by the State, except that State officers shall have nothing to do with the handling of such money. All of the county dispensary money, or so much of it as may not be used in paying pensions, as above provided, may be used in any way in which said court of county commissioners are authorized to spend county money. Said court of county commissioners is authorized to use said county dispensary money in any way said court may see fit in furthering the cause of education in the county whether such use be by donation or otherwise. The capital stock of dispensaries established and operated in any county under the provisions of this act, including furniture, fixtures and appliances, shall be and remain the exclusive property of the several towns and cities in which the dispensaries are respectively established.~~

Sec. 30. No person shall drink any liquor within fifty yards of the premises of the dispensary, unless he

drinks it on his own premises lying within such fifty yards. No one who lives or does business on premises that are within fifty yards of a dispensary shall permit any person, not a member or guest of his family, to drink or consume any liquor on his said premises. Any one who purchases or furnishes or aids in purchasing or furnishing the liquor which he drinks on premises within the fifty yards above described in this section, shall not be considered a guest within the meaning of this section. Any person who violates the provisions of this section shall be guilty of a misdemeanor, and, on conviction, shall be fined not less than one dollar and not more than ten dollars.

Sec. 31. No spirituous, vinous or malt liquors, or intoxicating drinks or beverages of any kind shall be sold in any one of the dispensary counties under the dispensary local option act of 1907, except by and through dispensaries herein provided for. But nothing in this act shall be so construed as to prevent any person who manufactures spirituous, vinous or malt liquors in a brewery or distillery from selling the same by wholesale, in sealed packages, to dispensers or those liquor dealers who do business in counties in which they may be authorized to do business. Any person who violates the provisions of this section shall be guilty of a misdemeanor, and, on conviction, shall be fined not less than twenty and not more than one hundred dollars.

Sec. 32. The dispensaries established under this act shall be located in a public and convenient place. No gates, doors, windows, or opening of any kind shall connect and dispensary with any adjacent house or lot so as to permit ingress into or egress out of such house or lot from or into the dispensary. No blinds or screens shall be set up or used in such dispensaries. No gaming or loitering shall be allowed in said dispensary. Throughout the night a light or lights shall be kept burning in the dispensary, persons on the outside of the dispensary from seeing inside thereof. The provisions of this section in reference to dispensaries shall apply to and be observed in the case of storage rooms.

Sec. 33. The term "legislative body" where it appears in this act, is intended to mean or designate the law-making body of the towns or cities herein referred to, whether said body is called the mayor and aldermen, board of mayor and aldermen, council, town council, city council, intendent and town council or by some other name. The term court of county commissioners, as used in this act, ~~is intended to include the terms~~ board of revenue, board of public revenue, board of revenue and road commissioners, or any other term or designation by which the official body whose duties are the same as those of the court of county commissioners, or similar thereto, may be called.

Sec. 34. This act is not intended and shall not be construed, to repeal or affect the operation of any law existing at the time of the election herein provided for which prohibits the sale of liquors, or to repeal or affect the operation of any law existing at the time of said election which provides for the purchase and sale of liquors by municipal corporations in or through dispensaries, or to repeal any law existing at the time of such election which authorizes the sale, without license, of wines manufactured from grapes or berries grown in this State. All other laws and parts of laws that conflict with the provisions of this act are hereby repealed.

Yeas, 19; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Leith	Reynolds
Bayles	Hayes	Merritt	Thomas
Blackmon	Heacock	Moody	White
Davis	Hinson	Overton	Wilson
Glenn	Jones	Reese	

MESSAGE FROM THE HOUSE.

Mr. President:

The House has adopted the following House joint resolution:

By Mr. John:

H. J. R. 203. "Resolved by the Legislature of Alabama, that the expenses of the joint committee to visit the Alabama Industrial School near Birmingham and Soldiers' Home at Mountain Creek, be paid out of the appropriation for legislative expenses, not exceeding seventy-five dollars in all."

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Lusk, the Senate concurred in House joint resolution No. 203, set out in full in the foregoing message from the House.

MESSAGE FROM THE HOUSE.

Mr. President:

The House accedes to the request of the Senate for a second committee of conference on the disagreement of the two Houses on the Senate amendments to the bill, H. 333, To make an appropriation for the expenses of encampment of the Alabama National Guard for the years 1907, 1908, 1909, and 1910.

And the House herewith returns the said bill, H. 333, to the Senate.

Committee of conference on the part of the House: Messrs. Goodwyn, Woolf and Rice.

And has non-concurred in the Senate amendments to the bill, H. 243, "To enlarge the insurance laws of the State," and herewith returns said bill, H. 243, to the Senate for its further action.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

The Senate insisted on its amendment to House bill 243, the title of which is set out in the above and foregoing House message, and asks for a committee of conference on the disagreement of the two Houses, and the President of the Senate announced as a committee on the part of the Senate, Messrs. Hamner, Hayes and Overton.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has non-concurred in the Senate amendments to the House bill, H. 160, To further amend the revenue laws of the State of Alabama. And requests a committee of conference on the disagreement of the two Houses on the Senate amendments. Committee on part of House, Messrs. Woolf, Maner and White of Lamar.

And the House has non-concurred in the Senate amendment to the bill:

H. 30. To define who are delinquent children and to provide for their reformation.

And requests a committee of conference on the disagreement of the two Houses on the Senate amendments. Committee on part of House, Messrs. John, Pitts of Dallas, and King. And returns said bill herewith to the Senate.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

The Senate insisted on its amendment to House bill 610, (the title of which is set out in the foregoing House message) and acceded to the request of the House for a committee of conference on the disagreement of the two Houses thereon; and the President announced as a committee on the part of the Senate Messrs. Miller, Teasley and Lowe.

And the Senate insisted on its amendment to H. 30, (the title to which is set out in the foregoing House message) and accedes to the request of the House for a

committee of conference on the disagreement of the two House thereon, and the President of the Senate announced as a committee on the part of the Senate, Messrs. Reynolds, Merritt and Spragins.

REPORT OF CONFERENCE COMMITTEE ON HOUSE BILL NUMBER 333.

Mr. Speaker:

Your committee on conference on Senate amendment to House bill 333 by which amendment the Senate increased the appropriation provided for in H. 333 from \$15,000 to \$25,000 and on which there is a disagreement between the two Houses, recommend that the Senate do amend its said amendment by inserting \$20,000 where \$25,000 now appears and upon such action by the Senate we do recommend that the House concur in said amendment.

Respectfully,

Chas. B. Teasley,
Max Hamburger, Jr.,
On the part of the Senate.
R. T. Goodwyn,
Fleetwood Rice,
S. G. Woolf,
On the part of the House.

And the Senate concurred in the report of the committee of conference on the disagreement of the two Houses on Senate amendment to House bill 333.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Barbour	Jones	Miller	Reynolds
Bayles	King	Moody	Spragins
Forrester	Leith	McWhorter	Strother
Glenn	Lowe	Overton	Teasley
Hamburger	Lusk	Reese	Thomas
Hayes	Merritt	Reid	Wilson
Heacock			

The bill:

H. 799. To provide for the working, repairing, maintaining, and improving the public roads of Pickens county, Alabama.

Was read a third time, at length, and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs.

Bayles	Hinson	Miller	Spragins
Forrester	Jones	Moody	Strother
Glenn	Leith	McWhorter	Teasley
Hamburger	Lowe	Overton	Thomas
Hamner	Lusk	Reese	White
Hayes	Merritt	Reynolds	Wilson
Heacock			

—25.

The bill:

H. 478. To prohibit the sale, giving away, or otherwise disposing of alcoholic, spirituous, vinous or malt liquors, intoxicating bitters, wines, or fruits preserved in such intoxicants within precinct number 17, known as Warrior precinct in the county of Jefferson, State of Alabama, and to repeal the present local law for the town of Warrior under which saloons are now operated.

Was read a third time, at length, and passed.

Yeas, 23; nays, 1.

Yeas:

Messrs:

Barbour	Hinson	Miller	Spragins
Bayles	Jones	Moody	Strother
Forrester	Leith	McWhorter	Thomas
Hamner	Lowe	Overton	White
Hayes	Lusk	Reese	Wilson
Heacock	Merritt	Reynolds	

—23.

Nays: Mr. Blackmon—1.

The bill:

H. 725. To amend section 3 of an act entitled "An act to regulate the trial of misdemeanors in the county of Macon," approved February the 18th, 1891.

Was read a third time, at length, and passed.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Barbour	Hinson	Merritt	Spragins
Doster	Jones	Miller	Strother
Forrester	King	Moody	Thomas
Glenn	Leith	Overton	White
Hayes	Lusk	Reynolds	Wilson
Heacock			

—21.

The bill:

S. 115. To increase the efficiency of trust companies.

Was taken up.

The following substitute offered by the committee, to-wit:

A BILL

To be entitled an act, To increase the efficiency of Trust Companies.

Section 1. Be it enacted by the Legislature of Alabama, That all corporations organized and operating as trust companies shall have the word "trust" as part of their corporate names, shall be amenable to the general banking laws of the State in so far as said laws are applicable to trust companies and not in conflict with the provisions of this act, and shall be examined by the State Bank Examiner as State banks are examined.

Section 2. Be it further enacted, That trust companies in cities of five thousand inhabitants or less shall have a paid up capital of not less than \$25,000.00 in cities having from five thousand to thirty thousand inhabitants not less than \$75,000.00; and in cities having over thirty thousand inhabitants not less than \$100,000.00. The next preceding federal census shall be the standard of population from time to time. Trust companies now existing whose capital is not up to the requirements of this section shall have one year from the passage of this act in which to conform to the provisions of this act; and as cities pass from one class to another according to changes of population trust companies whose paid

up capital have by the growth of population ceased to be up to the requirements of this act shall have one year from the date at which the population of the cities involved is made public in which to conform to the provisions of this act.

Section 3. Be it further enacted, That it shall be unlawful for any corporation not organized and operating as a trust company or as a bank, or as a combined bank and trust company and not complying with the requirements of the two preceding sections of this act to use the word "trust" as a part of its corporate name. And it shall also be unlawful for any such corporation to use the word "trust" in connection with the business of said corporation with intent to give the impression that such corporation is organized and operated as a trust company in accordance with the provisions of the first two sections of this act, all corporations now using the word "trust" in contravention of the foregoing provisions of this section shall have six months from the passage of this act within which to comply with the provisions of this section. Any corporation violating any of the provisions of this section shall thereby make void the organization of said corporation, and its stockholders shall thereupon become liable as partners. No limited partnership or other partnership shall use the word "trust" as part of its name. Any person, firm or corporation violating any of the provisions of this section shall be guilty of a misdemeanor and shall be fined therefor not exceeding \$100.00 and a continuing violation shall constitute a separate offense for each day that said violation continues.

Section 4. Be it further enacted, That any corporation organized and operating as a trust company may deposit with the State treasurer United States bonds, Alabama bonds, bonds of any city or county in the State of Alabama, or mortgages which are first liens on improved real estate, worth in each case double the face of the mortgage situated in some incorporated city of this State having a population according to the next preceding federal census of not less than five thousand inhabitants, to an amount not less than \$25,000.00 and

may increase said deposit from time to time, or reduce the same to an amount not less than \$25,000.00 or may withdraw the deposit entirely. But the treasurer shall decline to receive any bonds or other securities of a market value less than par and may in his discretion decline to receive any bonds or other securities that he considers unsafe and unsuitable for the purpose. The State treasurer shall from time to time furnish the company making such deposit with a proper certificate showing the fact of the deposit and containing an exact description of the bonds or other securities deposited. Such deposit is to secure the payment of all liabilities of the company making the deposit as guardian, administrator, executor, receiver or trustee under appointment of any court of this State where the company has claimed exemption from giving bond by reason of having this deposit; and all such liabilities shall constitute a first claim on said bonds or other securities deposited as against all other liabilities of said company. And when any person, firm or corporation has established by final proceedings at law or in equity a claim against said company to secure which said bonds or other securities were deposited, and said claim is not paid within thirty days by said company the State treasurer shall proceed forthwith to sell a sufficient number of said bonds to pay the judgment against said company and pay said judgment by paying the amount to the proper official of the court wherein said judgment exists.

Section 5. Any trust company which is authorized by law to act as guardian, administrator, executor, receiver or trustee, under appointment of any court of this State, and which maintains the deposit provided for in the preceding section, shall be entitled as a matter of right to exemption from giving bond before receiving authority to act in any of the above capacities, provided its aggregate liabilities to secure which said bonds or other securities are deposited do not exceed five times the par value of said bonds. When such company desires exemption from giving any such bond it shall file with the officer who would otherwise require such bond a sworn statement showing the amount in value of the

bonds or other securities on deposit with the State treasurer and that the liabilities of the company protected by such deposit do not exceed five times the par value of said bonds or other securities.

Section 6. All trust companies organized under general or special laws of this State, which are now required by their charters to keep on deposit with trustees any bonds, stocks or other securities to be held subject to the payment of any judgment or decree which may be rendered against said companies, are hereby authorized and empowered, upon making a deposit of securities in accordance with the provisions of section 4 of this act, to withdraw from the custody of said trustees said bonds, stocks or other securities so deposited with said trustees and shall not thereafter be required to maintain any such deposit with trustees, any provisions of the charters of said companies to the contrary notwithstanding.

Section 7. This act shall not be applicable to banks which are by the terms of their charters also authorized to do a trust company business so long as such banks do not in fact do a trust company business.

Section 8. The interest falling due from time to time on bonds or other securities on deposit with the State treasurer in accordance with section 4 of this act shall be payable to the corporation depositing such bonds or other securities and the State treasurer is hereby authorized to send to such corporation, a reasonable time before each interest period the coupons or interest notes representing the interest to become due at said interest period.

Was adopted.

Yeas, 18; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Leitl	Reynolds
Bayles	Hayes	McWhorter	Thomas
Blackmon	Heacock	Overton	White
Glenn	Hinson	Reese	Wilson
Hamburger	Jones		

Said bill, as thus amended, was read a third time, at length, and passed.

Yeas, 19; nays, 1.

Yeas:

Messrs:

Barbour	Hamner	Leith	Reynolds
Bayles	Hayes	Lowe	Thomas
Blackmon	Heacock	McWhorter	White
Glenn	Hinson	Overton	Wilson
Hamburger	Jones	Reese	

—19.

Nays: Mr. Lusk—1.

The bill:

H. 654. To relieve Cyrus Jones, Jr., as the only legal heir of Cyrus Jones, Sr., deceased, by refunding to him, money, amounting to \$250.20, belonging to the estate of the said Cyrus Jones, Sr., deceased, which escheated to the State of Alabama for lack of a claimant, as shown by the minute entries of the probate court of Madison county, Alabama, Vol. 30, page 42; and further evidenced by the treasurer's receipt No. 510, A. D., 1905.

Was taken up.

The following amendment offered by Mr. Spragins:

Amend by striking out the words "General Assembly" wherever they occur and insert in lieu thereof the word "Legislature."

Was adopted.

Yeas, 18; nays, 0.

Yeas:

Messrs:

Barbour	Hinson	McWhorter	Teasley
Forrester	Jones	Reynolds	Thomas
Glenn	Leith	Spragins	White
Hayes	Merritt	Strother	Wilson
Heacock	Miller		

—18.

And said bill, as thus amended, was read a third time, at length, and passed.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Barbour	Hinson	McWhorter	Strother
Doster	Jones	Overton	Teasley
Forrester	King	Reese	Thomas
Glenn	Leith	Reynolds	White
Hayes	Merritt	Spragins	Wilson
Heacock	Miller		

—22.

The bill:

H. 491. To fix and provide for the salaries of city officers in the cities of the State of Alabama, having a population of over twenty-five thousand inhabitants.

Was taken up.

Mr. Lusk, by request, offered the following amendment: "Amend by making thirty-six hundred dollars read five thousand dollars where it appears in the bill."

Which was adopted.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Barbour	Hinson	Merritt	Reid
Bayles	Jones	Miller	Reynolds
Glenn	King	Moody	Spragins
Hamburger	Leith	McWhorter	Strother
Hayes	Lowe	Overton	White
Heacock	Lusk	Reese	Wilson

—24.

And the bill, as thus amended, was read a third time, at length, and passed.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Merritt	Spragins
Bayles	Hayes	McWhorter	Strother
Blackmon	Horton	Overton	Thomas
Glenn	King	Reese	White
Hamburger	Lusk	Reynolds	Wilson

—20.

MESSAGE FROM THE GOVERNOR.

March 2, 1907.

To the Senate:

It having been suggested to me that Senate bill 128 is probably unconstitutional and insufficient for the purpose intended, I return said bill and propose the following amendments:

1. Amend the caption of said bill so as to read as follows: "A bill to be entitled an act to create and establish a criminal court of record of Clarke county, Alabama, to be known and styled as the county court of Clarke county, Alabama; to define the jurisdiction of said court, to regulate the practice therein; to provide for a judge, solicitor and clerk of said court, and to fix their compensation."

2. Amend section one of said bill so as to read as follows: "Be it enacted by the Legislature of Alabama, that a criminal court of record, to be known and styled as the county court of Clarke county, Alabama, is hereby created and shall have jurisdiction of all misdemeanors committed in said county."

Amend section nineteen of said bill by inserting immediately after the word county in line number six the following words: Upon the certificate of the clerk of said court to the treasurer showing the amount due said judge, which shall be a preferred claim against said fine and forfeiture fund."

B. B. Comer, Governor.

On motion of Mr. Gunn, the Senate adopted and concurred in the proposed amendments by the governor to Senate bill No. 128, the title of which and the proposed amendments thereto is set out in the foregoing message from the governor.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Barbour	Hamburger	Heacock	King
Bayles	Hamner	Hinson	Leith
Gunn	Haves	Jones	Lusk

Merritt	Reese	Spragins	Thomas
McWhorter	Reynolds	Strother	Wilson
Overton			—21.

Which was a majority of the whole number elected to the Senate.

~~RETURN AND RECOMMENDMENT OF BILL.~~

Mr. White, from the committee on County and County Boundaries, returns to the Senate.

H. 441. To ascertain and establish disputed boundaries.

And recommends that the same be referred to the committee on Judiciary.

RESOLUTION.

Mr. Lusk offered the following resolution:

"Be it resolved by the Senate, that the secretary and three clerks be given ten days after adjournment for the recess to revise, check over and compare the Journal of the present session, and that they be allowed the same per diem as they now receive."

Which, under a suspension of the rules, was adopted.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has received the accompanying message from his excellency, the governor, proposing amendments to the following House bills:

H. 233. To appropriate the sum of forty thousand dollars (\$40,000) to the Alabama Schools for the Deaf and Blind," and the House has concurred in and adopted the amendments proposed by the governor to the said bill by a majority vote of the whole House, the vote on said amendments being: Yeas, 67; nays, 0.

H. 323. To provide necessary funds for maintenance, repairs, improvements, apparatus and additions to the Medical College of Alabama," and the House has adopt-

ed and concurred in the amendment proposed by the governor to the said bill, H. 323, by a majority vote of the whole House, the vote on said amendment being: Yeas, 66; nays, 0.

H. 371. "To provide for the inspection of jails and almshouses," and the House has concurred in and adopted the amendments proposed by the governor to said bill, H. 371, by a majority vote of the whole House, the vote on said amendments being: Yeas, 62; nays, 12.

H. 671. "To make an appropriation to the Alabama Polytechnic Institute in lieu of the share of the proceeds arising from the sale of fertilizer tags now paid to the said institute," and the House has concurred in and adopted the amendment proposed by the governor to the said bill, H. 671, by a majority vote of the whole House, the vote on said amendment being: Yeas, 69; nays, 4.

And the House herewith sends the above bills, together with the message from the governor attached, to the Senate for its consideration.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

The Senate has adopted and concurred in the amendments to House bill 233, (the title of which is set out in the foregoing House message) as proposed by the governor, by a majority vote of the whole number elected to the Senate, said amendment being as follows:

1st. Amend title by striking out the word "forty" and inserting in lieu thereof, the word "fifty" and by striking out the figures and characters "(\$40,000)" and inserting in lieu thereof the figures and characters "(\$50,000)".

2nd. Amend sections 1, 2 and 3, by striking out the word "forty" where it occurs in each of said sections and inserting in lieu thereof the word "fifty" and by striking out the figures and characters "(\$40,000)" and inserting in lieu thereof the figures and characters "(\$50,000)".

Yeas, 19; nays, 1.

Yeas:

Messrs:

Barbour	Hayes	Lusk	Reynolds
Blackmon	Heacock	Merritt	Spragins
Glenn	Hinson	McWhorter	Thomas
Hamburger	Jones	Overton	Wilson
Hamner	Leith	Reese	

—19.

Nays: Mr. King—1.

And the Senate adopted and concurred in the amendment proposed by the governor to House bill 323, (the title to which is set out in the foregoing House message) said amendment being as follows, to-wit:

Amend bill by striking out section 3 and inserting in lieu thereof the following section:

Section 3. That the money herein appropriated shall not be available and the auditor shall not draw his warrant on the treasurer for said money, or any part thereof, until the title to all the property, real and personal, of every kind and description of said Medical College of Alabama shall have been vested in the board of trustees of the University of Alabama, and until the board of trustees of the University of Alabama shall have assumed full, complete and absolute management of and control over the said Medical College of Alabama. And when said appropriation shall thus become available the auditor shall draw his warrant on the treasurer for the same only upon the requisition of the board of trustees of the University of Alabama approved by the governor."

By a majority vote of the whole number elected to the Senate.

Yeas, 18; nays, 0.

Yeas:

Messrs:

Barbour	Hinson	McWhorter	Spragins
Blackmon	Jones	Overton	Strother
Glenn	Leith	Reese	Thomas
Hamburger	Lusk	Reynolds	Wilson
Hamner	Merritt		

—18.

And the Senate adopted and concurred in the amendment proposed by the governor to House bill 371 (the title to which is set out in the foregoing House message) by a majority vote of the whole number elected to the Senate, said amendment being as follows, to-wit:

1st. Amend the title of said bill by inserting after the word "almshouses", the words "and cotton mills or factories."

2nd. Amend by adding after section 9 the following section:

"Section 10. It shall also be the duty of said inspector to visit at least four times each year, and oftener when ordered by the governor so to do, each and every cotton mill or factory in this State and to thoroughly inspect the same, for the purpose of ascertaining their sanitary condition, the ages and condition of the children employed therein, and all other matters concerning the operation and condition of said mills or factories as to which the laws of this State prescribe any rules or regulations and to make reports to the governor of the results of each such inspection. It shall also be the duty of such inspector when ordered so to do by the governor, to institute prosecutions against the owners and operators of such mills or factories for the violation of any of the rules or regulations prescribed by any law of this State relating to the conditions or operations of such mills or factories.

3rd. Also amend by adding the following section:

Section 11. "That this act shall go into effect immediately upon its passage and approval."

Yeas, 23; nays, 0.

Yeas:

Messrs:

Barbour	Hamburger	Leith	Reynolds
Bayles	Hamner	Lusk	Spragins
Blackmon	Hayes	Merritt	Strother
Forrester	Hancock	McWhorter	White
Glenn	Jones	Overton	Wilson
Gunn	King	Reese	

And the Senate adopted and concurred in the amendment proposed by the governor to House bill No. 671 (the title to which is set out in the foregoing House message) by a majority vote of the whole number elected to the Senate, said amendment being as follows, to-wit:

~~Amend section 1 by striking out the words "thirty-two thousand dollars annually" and inserting in lieu thereof the following words "thirty-two thousand dollars for the year 1908-1909, thirty-eight thousand dollars for the years 1909-1910, and thereafter forty thousand dollars annually.~~

Yeas, 17; nays, 1.

Yeas:

Messrs:

Barbour	Hayes	King	Reese
Bayles	Heacock	Lusk	Reynolds
Glenn	Hinson	Merritt	Strother
Gunn	Jones	McWhorter	Thomas
Hamner			—17.

Nays: Mr. Leith—1..

SPECIAL ORDER SET.

On motion of Mr. Reese,
S. 169. To amend section 4417 of the Code of Alabama.

Was made a special order, Thursday, July 11, 1907, at 12 o'clock noon.

BILLS ON THIRD READING.

The bill:

H. 692. To amend sections 6, 9, 10, 16, 17, 19, and 20, of an act entitled "an act to provide for the re-districting of the public schools of the State and for the management and control of same," approved September 30, 1903.

Was taken up.

Mr. Reynolds offered the following amendment, to-wit:

Amend section three of the bill by adding after the words "for which he was elected" these words: "shall be eligible to election as a county trustee."

And strike out the words "nor any person actively engaged in teaching in the public schools in this State shall be eligible to election as county trustees" where they occur in section 3 of the bill and insert in lieu thereof these words "nor shall more than one teacher actively engaged in teaching in the public schools in this State be a member of said county board of education at one and the same time."

And pending the further consideration of same;

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended, as therein shown, and as amended has passed the following Senate bill:

S. 69. To amend sections 897 and 911 of chapter 19, article 1 of the Code of Alabama.

And sends the same herewith to the House.

HOUSE MESSAGE.

Mr. Blackmon moved to divide the question of concurrence in the House amendment to Senate bill No. 69, the title to which is set out in the foregoing message from the House, and the amendment thereto as follows:

Amend section 1, by inserting after the word Russell, the words "and Lee."

Amend the bill by inserting at the end of section 2, the words "the circuit court of Talladega county shall be held at Talladega on the second Mondays after the second Monday in January and July and may continue two weeks; and at Sylacauga, on the second Mondays in January and July and may continue two weeks, provided that before said court shall be held at Sylacauga a member of the court of county commissioners of said county shall make and file with said court of county

commissioners a certificate that a building suitable in all respects in which to hold said court has been provided without expense to said county."

Amend the amendment by adding after the words "and Lee" the words "provided that Lee county shall remain in the third circuit only till the first day of July, 1907, when the law establishing the Lee county court of law and equity ~~and the law detaching Lee county from the third circuit go into effect and provided further that the circuit courts of Henry county shall be held on the (17th) seventeenth Monday after the second Monday in February and August of each year.~~

Which motion was lost.

Yeas, 7; nays, 16.

Yeas:

Messrs:

Barbour	Glenn	King	Thomas
Blackmon	Heacock	McWhorter	

—7.

Nays:

Messrs:

Bayles	Hamner	Miller	Strother
Forrester	Lowe	Moody	Teasley
Gunn	Lusk	Overton	White
Hamburger	Merritt	Reynolds	Wilson

—16.

On motion of Mr. Lusk, the amendment by the House to said bill as hereinbefore set out was then concurred in.

Yeas, 20; nays, 4.

Yeas:

Messrs:

Barbour	Gunn	Lusk	Reynolds
Bayles	Hamburger	Merritt	Strother
Blackmon	Hamner	Miller	Teasley
Forrester	King	Overton	White
Glenn	Lowe	Reese	Wilson

—20.

Nays:
 Messrs:
 Heacock Moody McWhorter Thomas

—4.

PAIR ANNOUNCED.

Mr. Jones announced that he and Mr. Leith were paired. That if Mr. Leith were present he would vote nay and that he, Mr. Jones, would vote yea.

ADJOURNMENT.

At 6:30 o'clock p. m., on motion of Mr. Spragins the Senate adjourned until 10 o'clock tomorrow morning.

THIRTY-SIXTH DAY.

Monday, March 4, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Price of the House of Representatives.

ROLL CALL.

Present:
 Mr. President, and,
 Messrs:

Barbour	Hamburger	Lowe	Reynolds
Bayles	Hamner	Lusk	Spragins
Blackmon	Hayes	Merritt	Strother
Davis	Heacock	Miller	Teasley
Doster	Hinson	Moody	Thomas
Forrester	Horton	McWhorter	White
Gardner	Jones	Overton	Wilson
Glenn	King	Reese	Wimberly
Gunn	Leith	Reid	

—35.

JOURNAL.

On motion of Mr. King, the reading of the Journal of yesterday was dispensed with and the same was approved.

PRIVILEGES OF THE FLOOR.

The privileges of the floor were extended to Messrs. Jno. B. Knox, Dr. Retgold and Judge Almon, for today.

COMMUNICATION.

The following communication was received by the President and on motion the same was ordered spread upon the Journal of the Senate:

Montgomery, Ala., March 2, 1907.

Hon. Henry B. Gray,
Lieutenant Governor,
Senate Chamber.

Dear Sir:—On behalf of the Alabama Division, United Daughters of Confederacy, we tender through you our sincere thanks to the members of the Senate for the liberal appropriation voted for the maintenance of the Soldier's Home at Mountain Creek.

Our Division is especially gratified at the sum appropriated by the act for hospital purposes. With the aid of this last, the care and comfort of the sick veterans are assured. This has been one of the special works of our Division for the past two years.

Again thanking the members of the Senate, we remain,

Very respectfully,

Mrs. Frank H. Elmore,
Mrs. Wm. A. Gayle,
Mrs. John A. Kirkpatrick,
Miss Addie Beaumont,

Soldier's Home Committee, Ala. Division, U. D. C.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has adopted the following joint resolution:
By Mr. John:

H. J. R. 205. Resolved by the House, the Senate concurring, that the joint resolution heretofore passed providing for an adjournment today for the recess be, and the same is, hereby rescinded.

2. That the Legislature when it adjourns today adjourn to meet again at 9 a. m., on Wednesday next and that the Legislature adjourn on that day until the ninth day of July, 1907.

3. That in view of the peculiar condition of the business of the Legislature the presiding officers of the two Houses are requested to sign all bills and resolutions ready for their signatures on this day.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Lusk, the Senate concurred in House joint resolution No. 205, set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has adopted the following resolution:

JOINT RESOLUTION.

By Mr. Maner:

H. J. R. 206. Resolved, by the House, the Senate concurring, that a committee of five be appointed, consisting of three from the House and two from the Senate, as a committee on the arrangements for the funeral of the Honorable Wm. L. Martin, late Speaker of the House of Representatives.

Committee on part of the House: Messrs. Maner, Gunter and Goodwyn.

Cyrus B. Brown, Clerk.

HOUSE MESSAGE.

On motion of Mr. Lusk, the Senate concurred in the House joint resolution No. 206, set out in the foregoing message from the House, and the President appointed as committee on the part of the Senate, Messrs. Thomas and Lusk.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker of the House having signed the following House bills and joint resolution, your signature thereto is requested:

H. 668. To provide for the participation of the State of Alabama in the Jamestown Exposition to be held on and near the waters of Hampton Roads, in the State of Virginia, in the year nineteen hundred and seven, in commemoration of the first permanent settlement made in the United States, by English speaking people, in the year sixteen hundred and seven.

H. 654. To relieve Cyrus Jones, Jr., as the only legal heir of Cyrus Jones, Sr., Dec'd., by refunding to him money amounting to \$250.20 belonging to the estate of the said Cyrus Jones, Sr., deceased, which escheated to the State of Alabama for lack of a claimant as shown by the minute entries of the probate court of Madison county, Alabama, Vol. 30, page 42, and further evidenced by Treasurer's receipt No. 510 A. D., 1905.

H. 655. To establish a dispensary in and for the town of Dayton in the county of Marengo, State of Alabama, and to provide for the conduct and regulation of the same.

H. J. R. 203. Relative to payment of expenses of joint committees appointed to visit the "Alabama Industrial School" and Soldiers' Home at Mountain Creek.

H. 478. To prohibit the sale, giving away, or otherwise disposing of alcoholic, spirituous, vinous or malt liquors, intoxicating bitters, wines, or fruits preserved

in such intoxicants within precinct number 17, known as Warrior precinct in the county of Jefferson, State of Alabama, and to repeal the present local law for the town of Warrior under which saloons are now operated.

H. 787. To fix the time of holding the circuit courts in the counties of Perry and Bibb.

H. 237. To establish a normal school for education of white male and female teachers at Daphne, in Baldwin county, Alabama.

H. 725. To amend section 3 of an act entitled an act to regulate the trial of misdemeanors in the county of Macon, approved February the 18th, 1891.

H. 222. To amend section two (2) of an act to establish the inferior court of Demopolis precinct, Marengo county, Alabama, in lieu of all justices of the peace therein to be called city court of Demopolis, approved Sept. 26th, 1903, and by adding section 14 to said act.

H. 806. To better provide for maintaining, working and repairing the public roads of Henry county, Alabama.

H. 689. To fix the terms of the circuit court of Madison county and to dispense with grand juries in said court, except when specially ordered by the judge.

H. 66. To regulate the sale of corn meal.

H. 793. To fix the salary of the chancellor of the northwestern chancery division of Alabama, at the sum of forty-five hundred (\$4,500.00) dollars per annum, and to provide for the payment of as much thereof out of the State treasury as shall be paid to other chancellors, and for the payment of the remainder thereof out of the treasury of Jefferson county.

H. 39. To authorize the courts of county commissioners of the several counties, and other courts of like jurisdiction, to compromise certain claims in favor of the counties.

H. 581. To fix the salary of the judge of the police court of the city of Birmingham, Alabama.

H. 756. To amend section one of an act entitled "an act to incorporate the town of Sulligent in the county of Lamar, State of Alabama," approved February 12th, 1897.

H. 699. To repeal an act entitled an act to provide for the running at large of domestic live stock in the precincts of Hazel Green and all that section of Hurricane lying north of the line that formerly divided the precinct of Hurricane from the precinct of Maysville, Madison county, approved February 9th, 1901.

~~H. 338. To make appropriations for the expenses of encampment, maneuvers and target practice of the Alabama National Guard for the years 1907, 1908, 1909, and 1910.~~

H. 373. To provide for an election by the qualified electors of Tuscaloosa county to determine whether the sale, barter, exchange giving away or otherwise disposing of vinous, spirituous or malt liquors, intoxicating beverages, bitters and proprietary medicines shall be wholly prohibited in said county, and if a majority of said electors shall vote in favor of prohibition to prohibit the sale, barter, exchange, giving away, lending, delivering or otherwise disposing of spirituous, vinous or malt liquors, intoxicating beverages, bitters and proprietary medicines and to prohibit the shipping into said county by any common carrier and the bringing into said county by any person for the use of any other person than himself, any such spirituous, vinous or malt liquors intoxicating beverages bitters or proprietary medicines from any place within this State, and to prohibit the taking or soliciting of orders for spirituous, vinous or malt liquors, intoxicating beverages bitters or proprietary medicines in said county, and to prohibit the giving of orders for spirituous vinous or malt liquors intoxicating beverages bitters or proprietary medicines by any person in said county over any telegraph or telephone line, and to provide penalties for all such prohibited acts.

H. 846. To authorize the commissioners court of Conecuh county to divide said county into road precincts and to appoint road overseers to have supervision of the public roads in said county, and to direct and prescribe the duties of said overseers and the duties of road apportioners in said county, and to provide for and define the duties of said overseers and apportioners

and to authorize the commissioners court of Conecuh county to purchase for said county the necessary teams, tools, road machines, implements and plows to be used for constructing, repairing, working and improving the public roads in said county and to provide for the construction and improvement of the public roads of Conecuh county and to prescribe who shall work on the public roads in Conecuh county and to provide for a road tax in lieu of work on the public roads of Conecuh county and to provide for the appropriation of funds by the commissioners court of Conecuh county for the construction, repairing, working and improving the public roads in said Conecuh county; to prevent the obstruction of and damage to the public roads of Conecuh county and to prescribe punishment for obstructing or damaging the public roads in Conecuh county.

H. 371. To provide for the inspection of jails and almshouses and cotton mills or factories.

H. 799. To provide for the working, repairing, maintaining and improving the public roads of Pickens county, Alabama,

H. 619. To repeal an act entitled an act, to prohibit the sale or giving away of alcoholic, spirituous, vinous or malt liquors within 6 miles of Nances Creek Methodist church in Calhoun county, Alabama, or within the limits of precinct twelve, Coffee county; or within the limits of Carpenter's precinct in Jackson county; or within four miles of Mt. Nebo church in precinct twenty-seven; Thompson's Camp Grounds or Holy Tree in Bishop's precinct, all within the county of Jackson, or within four miles of the public school building in the city of Bridgeport, in the county of Jackson, or within three miles of Weeping Mary church in beat eight, Uee county; or within three miles of Friendship Baptist church in Crenshaw county; or within three miles of Zada church, Rama church, Union Hill church, precinct two, Henry county; or within two miles of Mary Baptist church, precinct or beat fourteen, in Tallapoosa county; or within five miles of Pleasant Grove Baptist church in precinct nine, in Henry county; or within township twenty, range twenty-three in Tallapoosa

county; or within four miles of Liberty Baptist church and Young's Chapel Methodist church, Etowah county; or within two miles of Green Hill church, and school house of Green Hill in Lauderdale county; or within Ashville beat, No. 1, in St. Clair county; or within three miles of Pierce's Chapel M. E. church, beat 7, Lee county; or within two miles of Clintonville academy in Coffee county, ~~or within three miles of White Oak M. E. church, beat 5, in Barbour county; or within three miles of Cave Springs Baptist church, beat 11, in Etowah county; or within three miles of Marvin Chapel church in Pickens county; or within beat nine, in Limestone county; all of the within places are within the State of Alabama, and within five miles of Smith's Chapel, Jackson county; or within the corporate limits of the town of Guin, in Marion county; or within five miles of Canaan church and Woodland church, in Lauderdale county; and to repeal all laws heretofore passed prohibiting the sale, giving away or otherwise disposing of alcoholic, vinous or malt liquors, or other intoxicating drinks or beverages, or fruits preserved in alcoholic liquors within five miles of Pierce Chapel Methodist church in beat 7, Lee county, so far as said laws relate to the territory within five miles of Pierce Chapel Methodist church, passed by the General Assembly of Alabama 1892-1893, and approved on the 21st day of February, 1893, in so far as the same relates to the prohibition of the sales or giving away of alcoholic, spirituous, vinous or malt liquors, within three miles of Zada church, Rama church and Union Hill church, in Houston county, Alabama."~~

H. 233. To appropriate the sum of fifty thousand dollars (\$50,000) to the Alabama Schools for the Deaf and Blind.

H. 323. To provide necessary funds for maintenance, repairs, improvements, apparatus and additions to the Medical College of Alabama.

H. 671. To make an appropriation to the Alabama Polytechnic Institute in lieu of the share of the proceeds arising from the sale of fertilizer tags now paid to the said institute.

H. 623. To amend section 2584 of the Code of 1896.

H. 741. To make subject to taxation and to tax the franchises, or intangible property and assets of every person, association, company and corporation engaged as common carrier in this State in the business of transporting persons or property over any railroad, including street railroads, or in the business of operating any cars over any railroad for the transportation of freight or passengers, including sleeping cars, parlor or palace cars, dining cars, chair cars, tank cars, and cars of any other kind; or engaged in operating for gain any telegraph or telephone lines or plant or business; or in operating any plant or business for the production, manufacture, distribution or sale of gas, water, electricity, electric power, electric light, steam heat, oil, refrigerated air, or other like substances, by means of pipes, wires, or conduits passing on, over, under or through any territory, street alley or highway in this State; or in the business of operating for gain, dockage, wharfage, canal, freight or passenger depots, stations or terminals, or engaged in any other business which may be dependent upon the grant of public powers or privileges, or which may involve the operation of any public utility; and to provide for the valuation and manner of ascertaining the values of such franchises, or intangible properties, and the distribution of the same for local taxation, and the levy, assessment and collection of said taxes thereon.

H. 615. To amend sections 1321 and 1322 of the Code of 1896.

H. 769. To better provide for the revenue of the State and the more efficient assessment and collection of taxes and for this purpose to create a commission to be known as the State Tax Commission of Alabama; and to prescribe the powers and duties of said commission and its mode of procedure, and to abolish the office of State Tax Commissioner.

H. 763. To provide for a joint committee of the Senate and House to sit during the recess of the Legislature to prepare a general municipal bill or bills.

H. 818. To appropriate funds to be expended by the State Board of Health for the protection and promotion of the health of the people of the State.

H. 611. To further provide for the revenue of the State, by requiring all foreign corporations authorized to do business in this State under the laws of the State of Alabama, to pay an annual franchise tax.

Cyrus B. Brown,
Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read at length by the secretary, signed the above House bills, the titles of which are set out in the foregoing message from the House, the reading at length of said bills having been dispensed with, by a two-thirds vote of the Senate present.

NOTICE.

Mr. Blackmon served the following notice on the Senate:

Notice is hereby given that on Wednesday, the 6th day of March, 1907, I will move to reconsider the vote by which the Senate concurred in the House amendments to Senate bill No. 69.

March 4, 1907.

Fred L. Blackmon.

BILLS ON THIRD READING.

The bill:

H. 202. For the additional relief of needy Confederate soldiers and sailors, who are resident citizens of the State of Alabama, and their widows, by the appropriation of three hundred thousand dollars annually for the years 1907, 1908, 1909, 1910.

Was taken up.

A BILL

To be entitled an act, for the additional relief of needy confederate soldiers and sailors who are resident citizens of the State of Alabama and their widows by the appropriation of three hundred and fifty thousand dollars annually for the fiscal year beginning on the first day of October, 1907, on the first day of October, 1908, on the first day of October, 1909 and on the first day of October, 1910, and to fix the amount and manner of paying the same.

Section 1. Be it enacted by the Legislature of Alabama, That the sum of three hundred and fifty thousand dollars be and is hereby appropriated out of the treasury annually, for the fiscal year beginning on the first day of October 1907, on the first day of October 1908, on the first day of October 1909, and on the first day of October 1910, for the additional relief of needy confederate soldiers and sailors who are resident citizens of the State of Alabama, and their widows, said appropriation herein provided for being in addition to the amount of the annual appropriation of fifty thousand dollars heretofore made by the legislature of Alabama.

Section 2. Be it further enacted that the said appropriation herein provided for and all moneys appropriated in any manner to the relief of needy confederate soldiers and sailors and their widows shall be paid quarterly that, on the first day of October, January, April and July of said fiscal years, there shall be paid to pensioners of the first class the sum of twenty-five dollars, to pensioners of the second class, the sum of twenty dollars, to pensioners of the third class, the sum of sixteen dollars and to pensioners of the fourth class the sum of twelve dollars and fifty cents, for each quarter, in the same manner as pensions are now paid; provided that if the amounts appropriated and due said pensioners are not sufficient to pay said amounts to be paid on the first day of July of said fiscal years, then the amount on hand for said last quarter, shall be divided among all said pensioners pro rata, provided further that if there is on

hand for said pensioners an amount more than enough to pay the amount as herein provided for the last quarter in any fiscal year, then said overplus shall be divided among all the pensioners pro rata.

Sec. 3. Be it further enacted that all laws and parts of laws in conflict with this act are hereby repealed.

The following amendment to said substitute:

Amend by adding at the end of section 2 of said substitute the following: Provided that all needy Confederate soldiers and sailors, and widows of such soldiers and sailors, who are resident citizens of this State, and who other than as to residence within this State are entitled to such pensions under the laws of this State, shall have and enjoy the benefits of the appropriation hereby made.

Section 2 1-2. That the special tax of one mill on each one dollar of the taxable property of the State levied and collected under the laws of this State shall be applied for the benefit of such soldiers, sailors and widows in like manner as the funds hereby specifically appropriated are directed by law to be applied.

Amend caption by striking out the word additional. Was adopted.

Yeas, 18; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Jones	Lusk
Bayles	Hamburger	King	Merritt
Blackmen	Hamner	Leith	Moody
Doster	Hayes	Lowe	Reese
Glenn	Heacock		

—18.

And said substitute, as thus amended, was adopted.

Yeas, 18; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Jones	Lusk
Bayles	Hamburger	King	Merritt
Blackmon	Hamner	Leith	Moody
Doster	Hayes	Lowe	Reese
Glenn	Heacock		

—18.

And said bill, as thus amended, was read a third time, at length, and passed.

Yeas, 18; nays, 0.

Yeas:

Messrs:

Barbour	Glenn	Heacock	Lowe
Bayles	Gunn	Jones	Lusk
Blackmon	Hamburger	King	Merritt
Davis	Hamner	Leith	Moody
Doster	Hayes		

—18.

The bill:

S. 367. To dissolve the board of trustees of the Medical College of Alabama and to vest the ownership and control of the property of the Medical College in the board of trustees of the University of Alabama.

Was read a third time, at length, and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Leith	Overton
Bayles	Hayes	Lowe	Reese
Blackmon	Heacock	Lusk	Reid
Glenn	Hinson	Merritt	Reynolds
Gunn	Jones	Moody	Teasley
Hamburger	King	McWhorter	Wilson

—24.

The bill:

H. 831. To fix the salary of the judge of the 10th judicial circuit of the State of Alabama at the sum of forty-five hundred (\$4,500.00) dollars per annum, and to provide for the payment of as much thereof out of the State treasury as shall be paid to other circuit judges of the State of Alabama, and for the payment of the remainder thereof out of the treasury of Jefferson county.

Was read a third time, at length, and passed.

Yeas, 18; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Jones	Lusk
Bayles	Hamburger	King	Merritt
Blackmon	Hamner	Leith	Moody
Doster	Hayes	Lowe	Reese
Glenn	Heacock		

—18.

The bill:

H. 819. To dissolve the board of trustees of the Medical College of Alabama, and to vest the ownership and control of the property of the Medical College in the board of trustees of the University of Alabama.

Was read a third time, at length, and passed.

Yeas, 18; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Jones	Lusk
Bayles	Hamburger	King	Merritt
Blackmon	Hamner	Leith	Moody
Doster	Hayes	Lowe	Reid
Glenn	Heacock		

—18.

The bill:

H. 767. To amend section 7, of an act approved October 1, 1903, to amend an act to establish the Tuscaloosa county law and equity court, so as to fix the salary of the judge of said court at twenty-seven hundred dollars per annum payable monthly.

Was read a third time, at length, and passed.

Yeas, 18; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Jones	Lusk
Bayles	Hamburger	King	Merritt
Blackmon	Hamner	Leith	Moody
Doster	Hayes	Lowe	Reese
Glenn	Heacock		

—18.

The bill:

H. 835. To authorize municipal corporations to levy and collect a license tax on all exhibitions, trades, business, vocations, occupations, and professions which are now or may hereafter be engaged in or carried on within the limits of such municipal corporation.

Was read a third time, at length, and passed.

Yeas, 17; nays, 1.

Yeas:

Messrs:

Barbour	Hamburger	Jones	Lusk
Blackmon	Hamner	King	Merritt
Doster	Hayes	Leith	Moody
Glenn	Heacock	Lowe	Reid
Gunn			

—17.

Nays: Mr. Bayles—1.

The bill:

H. 715. To authorize the court of county commissioners or board of revenue of any county authorized to levy a special tax for working the public roads to transfer to the road fund any surplus of general county funds in the county treasury.

Was read a third time, at length, and passed.

Yeas, 18; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Jones	Lusk
Bayles	Hamburger	King	Merritt
Blackmon	Hamner	Leith	Moody
Doster	Hayes	Lowe	Reese
Glenn	Heacock		

—18.

The bill:

H. 845. To grant to any person, firm or corporation acquiring necessary lands on both sides of a navigable river, and organized for the purpose of developing water power and electrically transforming and distributing the same, for use of the public, to construct dams and locks in navigable rivers for the development of water power.

To grant perpetual and exclusive easements for power purposes to and in the waters and beds of said rivers.

Was read a third time, at length, and passed.

Yeas, 18; nays, 1.

Yeas:

Messrs:

Barbour	Hamburger	King	Merritt
Bayles	Hamner	Leith	Moody
Doster	Hayes	Lowe	Reese
Glenn	Heacock	Lusk	Wilson
Gunn	Jones		

—18.

Nays: Mr. Blackmon.—1.

The bill:

H. 735. To provide for and regulate the working of the public roads in Tallapoosa county.

Was read a third time, at length, and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lowe	Reid
Bayles	Hayes	Lusk	Reynolds
Blackmon	Heacock	Merritt	Teasley
Doster	Jones	Moody	Thomas
Glenn	King	Overton	Wilson
Gunn	Leith	Reese	Wimberly
Hamburger			

—25.

The bill:

S. 322. To amend sections 1 and 6 of an act entitled an act to incorporate the town of Marion, in Perry county, as a separate public school district, approved February 5, 1877.

Was read a third time, at length, and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Barbour	Doster	Hamburger	Heacock
Bayles	Glenn	Hamner	Jones
Blackmon	Gunn	Hayes	King

Leith	Moody	Reid	Thomas
Lowe	McWhorter	Reynolds	Wilson
Lusk	Overton	Teasley	Wimberly
Merritt			—25.

The bill:

H. 805. To amend sections one (1) and two (2) of an act entitled an act to confer additional rights and powers including the right to acquire by purchase, or by condemnation lands and easements upon corporations organized under the general laws or heretofore under a special act of the general assembly of the State of Alabama, and upon corporations organized under the laws of any other state in the United States, and which corporations have complied with the laws of Alabama in reference to foreign corporations and which have the right by their charter to manufacture supply and sell power produced by water as a motive force," approved October 1st, 1903, and to add sections (8 1-2) and (9 1-2) to said act defining the duties of such corporations to the public.

Was taken up.

The following amendment:

Amend after "another" in line three, page three, "person, association or" and in line 5, page three, after factory the words "or other industry using water power."

Was adopted.

Yeas, 19; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Jones	Merritt
Bayles	Hamburger	King	Moody
Blackmon	Hamner	Leith	Reese
Doster	Hayes	Lowe	Wilson
Glenn	Heacock	Lusk	

—19.

And said bill, as thus amended, was read a third time, at length, and passed.

Yeas, 19; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Jones	Merritt
Bayles	Hamburger	King	Moody
Blackmon	Hamner	Leith	Reese
Doster	Hayes	Lowe	Wilson
Glenn	Heacock	Lusk	

—19.

The bill:

H. 566. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous, or malt liquors, or other intoxicating drinks within five miles of Foley and within two and one-half miles of the Episcopal church at Magnolia Springs, Alabama.

Was read a third time, at length, and passed.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lusk	Reid
Bayles	Hayes	Merritt	Reynolds
Blackmon	Heacock	Moody	Teasley
Doster	Jones	McWhorter	Thomas
Glenn	King	Overton	Wilson
Gunn	Leith	Reese	Wimberly
Hamburger	Lowe		

—26.

The bill:

H. 630. To amend an act to incorporate the town of Jackson, Clarke county, Alabama, approved February 15th, 1897.

Was read a third time, at length, and passed.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lusk	Reid
Bayles	Hayes	Merritt	Reynolds
Blackmon	Heacock	Moody	Teasley
Doster	Jones	McWhorter	Thomas
Glenn	King	Overton	White
Gunn	Leith	Reese	Wilson
Hamburger	Lowe		

—26.

The bill:

H. 557. To amend an act, entitled an act, to amend an act entitled an act, to regulate the issue of garnishments and the proceedings thereon in the county of Morgan approved Dec. 9, 1896, so that said act shall read as follows:

Was read a third time, at length, and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lowe	Reid
Bayles	Hayes	Lusk	Reynolds
Blackmon	Heacock	Merritt	Teasley
Doster	Jones	Moody	Thomas
Glenn	King	Overton	Wilson
Gunn	Leith	Reese	Wimberly
Hamburger			

—25.

The bill:

H. 732. To make a supplemental appropriation for the payment of the increased salaries of the judicial officers of this state.

Was read a third time, at length, and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lowe	Reid
Bayles	Hayes	Lusk	Reynolds
Blackmon	Heacock	Merritt	Teasley
Doster	Jones	Moody	Thomas
Glenn	King	Overton	Wilson
Gunn	Leith	Reese	Wimberly
Hamburger			

—25.

The bill:

S. 377. To exempt members of volunteer fire companies, in incorporated towns and cities, from military and jury duties and from the payment of poll and street taxes, and to provide for their incorporation.

Was read a third time, at length, and passed.

Yeas, 19; nays, 3.

Yeas:

Messrs:

Barbour	Gunn	Jones	Merritt
Bayles	Hamburger	King	Moody
Blackmon	Hamner	Leith	Overton
Doster	Hayes	Lowe	Teasley
Glenn	Heacock	Lusk	

—19.

Nays: Messrs. Reese, Reynolds, Wimberly, 3.

And the same was ordered sent to the House without engrossment.

The bill:

H. 678. To ratify and make legal the warrants issued to the probate judge and sheriff of Walker county, Alabama, for services rendered in holding the county court of said county from March 6th, 1903, to June 9th, 1905.

Was read a third time, at length, and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lowe	Reid
Bayles	Hayes	Lusk	Reynolds
Blackmon	Heacock	Merritt	Teasley
Doster	Jones	Moody	Thomas
Glenn	King	McWhorter	Wilson
Gunn	Leith	Overton	Wimberly
Hamburger			

—25

The bill:

H. 679. To ratify and make legal claims against the fine and forfeiture fund of Walker county all claims issued from March 6th, 1903, to June 9th, 1905, to the sheriff and circuit clerk of said county against said fund for services performed in and for the court acting as the county court of Walker county, and for the circuit court while said court was held or attempted to be held under what was known as the 14th judicial circuit act approved March 6th, 1903.

Was read a third time, at length, and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lowe	Reid
Bayles	Hayes	Lusk	Reynolds
Blackmon	Heacock	Merritt	Teasley
Doster	Jones	Moody	Thomas
Glenn	King	McWhorter	Wilson
Gunn	Leith	Overton	Wimberly
Hamburger			—25.

The bill:

H. 149. For the relief of A. A. Heard, an ex-confederate soldier, being a resident of Marion county, Alabama.

Was read a third time, at length, and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lowe	Reid
Bayles	Hayes	Lusk	Reynolds
Blackmon	Heacock	Merritt	Teasley
Doster	Jones	Moody	Thomas
Glenn	King	Overton	Wilson
Gunn	Leith	Reese	Wimberly
Hamburger			—25.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following Senate bills:

S. 249. To provide for the purchase of two surveyors transits for the two commissioned county surveyors for Calhoun county at the expense of Calhoun county.

S. 329. To grant to towns and cities which own and operate dispensaries the power to contract with the governing body of the county in which such town or city is situated to give to such county fifty per cent of the net revenue of such dispensary for the purpose of paying interest upon, and providing a sinking fund for the redemption of, any bonds issued by such county for the purpose of constructing public roads in such county.

S. 335. To vacate and annul the alleys ways in blocks 207, and the east half of the alley way in block 203, in the city of Birmingham, Ala.; also all that part of Fourth avenue, north, lying between Twenty-sixth street, north, and Twenty-seventh street, north, in said city; also all that part of Sixth avenue north, extending ~~from the boundary line between lots eighteen and nineteen in block 207, in said city (if projected across said~~ avenue) to the western boundary line of Twenty-seventh street; also that part of Third avenue in said city, extending from the boundary line between lots 15 and 16, in block 204, in said city (if projected across said avenue), to the western boundary line of 27th street.

S. 341. To amend sections five and fifteen of an act entitled "An act to declare the powers and jurisdiction of the city court of Anniston, approved December 9th, 1896, and to amend section ten of an act approved March 4th, 1903, entitled, "An act to amend sections nine, ten and sixteen of an act to declare the powers and jurisdictions of the city court of Anniston, approved December 9th, 1896, and to amend section two of an act approved December 13, 1900, entitled 'An act to amend sections four and eleven of an act entitled "An act to declare the powers and jurisdiction of the city court of Anniston," approved December 9th, 1906."

S. 342. To regulate the practice in the circuit court of Calhoun county.

S. 261. To ratify and make legal all claims issued to State witnesses from March 6th, 1903, to June 9, 1905, by the clerk of the circuit court of Walker county, or by the judge of the county court of Walker county, or by the person acting as and claiming to be judge of the county court of said county, or the clerk or person acting as clerk of said court or issued by the foreman of any grand jury organized under what is known as the 14th judicial circuit act, approved March 6th, 1903.

S. 207. To amend an act approved March 4th, 1903, entitled an act to create a text book commission, and to procure for use in the public free schools in this State, a uniform series of text books; to define the duties and powers of said commission and other officers;

to make an appropriation for the carrying into effect of this act; to provide punishment and penalty for the violation of the same.

S. 264. To amend section 2 of an act entitled "an act to establish a charter for the town of Lineville, Clay county, Alabama" approved December 14, 1898.

S. 301. To dispose of all surplus moneys coming into the fine and forfeiture fund of Jefferson county, Alabama.

S. 328. To re-arrange and extend the corporate limits of the town of Linden, Marengo county, Alabama.

S. 303. To amend an act entitled an act to authorize the court of county commissioners of Jefferson county to purchase claims against the fine and forfeiture fund of said county.

S. 74. To amend sections 1310 and 1313 of the Code of Alabama of 1896.

S. 332. To authorize the county commissioners of Perry county, Alabama, to appropriate annually from the funds of said county the sum of two hundred and fifty dollars for the use of the county board of education of said county to be used by said board for the sole and only purpose of advancing the interests of the public schools of said county.

Cyrus B. Brown, Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has received the accompanying message from his excellency, the governor, proposing an amendment to the House bill:

H. 179. To make appropriations for the maintenance of the Alabama Industrial School for White Boys for the years 1907, 1908, 1909 and 1910" and the House has concurred in and adopted the amendment proposed by the governor to the said bill by a majority vote of the whole House, the vote on said amendment being:

Yeas, 66; nays, 1.

And the House herewith sends the said bill together with the governor's amendment, to the Senate for its consideration.

Cyrus B. Brown, Clerk.

HOUSE MESSAGE.

On motion of Mr. Lusk the Senate concurred in the following amendments proposed by the governor to H. 179, the title to which is set out in the foregoing message from the House, and such proposed amendments are contained in the following message from the governor, to-wit:

To the House of Representatives:

I herewith return H. B. No. 179 entitled an act to make appropriations for the maintenance of the Alabama Industrial School for white boys for the years 1907, 1908, 1909, and 1910 and I propose and recommend the following amendment to said bill which will remove my objection thereto:

Amend by adding to section 2 at the end thereof the words "provided, further that of the above appropriation the sum of thirty-five hundred dollars may be used for repairs, improvements and supplies in addition to the sum of one hundred for the maintenance of each inmate of said school."

B. B. Comer, Governor.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Barbour	Hamburger	Leith	Reynolds
Bayles	Hamner	Lowe	Teasley
Blackmon	Hayes	Lusk	Thomas
Doster	Heacock	Merritt	Wilson
Glenn	Jones	Moody	Wimberly
Gunn	King	Overton	

—23.

Which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in the Senate amendments to the following House bill:

H. 668. To provide for the participation of the State of Alabama in the Jamestown Exposition to be held on and near the waters of Hampton Roads, in the State of Virginia, in the year nineteen hundred and seven, in commemoration of the first permanent settlement made in the United States, by English speaking people in the year sixteen hundred and seven.

H. 654. To relieve Cyrus Jones, Jr., as the only legal heir of Cyrus Jones, Sr., dec'd., by refunding to him, money amounting to \$250.20, belonging to the estate of the said Cyrus Jones, Sr., deceased, which escheated to the State of Alabama for lack of a claimant, as shown by the minute entries of the probate court of Madison county, Alabama, Vol. 30, page 42, and further evidenced by treasurer's receipt No. 510 A. D. 1905.

And the House has concurred in the Senate Joint Resolution:

No. 55. Relative to the joint committee to sit to prepare a general municipal bill having copies of said bill printed and mailed to members of the legislature at least thirty days before the meeting of the legislature after the recess.

The House has concurred in and adopted the amendment proposed by the governor to the bill:

S. 219. To provide for the revocation of the license or right to engage in or carry on the business of the transportation, originating and terminating in this State, of freight or passengers, of any foreign corporation which is now engaged, or which may hereafter engage in such business, or the business of common carrier in this State, in the event such corporation shall for any of the purposes specified in this act, institute in any federal court any suit or proceeding or shall remove or cause to be removed to any federal court any suit or

proceeding instituted in any State court for any of the purposes specified in this act.

By a majority vote of the whole House, the vote on said amendment being: Yeas, 58; nays, 0.

And the House herewith returns the said bill, S. 219 to the Senate.

Cyrus B. Brown, Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has elected Hon. A. H. Carmichael, representative from Colbert county, as Speaker of the House of Representatives to succeed the late Hon. Wm. L. Martin.

Cyrus B. Brown, Clerk.

UNFINISHED BUSINESS.

The Senate then proceeded to consider the unfinished business of yesterday, which was:

H. 692. To amend sections 6, 9, 10, 16, 17, 19, and 20, of an act entitled "an act to provide for the redistricting of the public schools of the State and for the management and control of same," approved September 30, 1903.

And the amendment offered thereto by Mr. Reynolds.

Mr. Wilson moved to postpone the further consideration of said bill and said amendment until July 12, 1907.

Which, on motion of Mr. Blackmon, was laid on the table.

And said amendment offered by Mr. Reynolds on yesterday was adopted.

Yeas, 22; nays, 1.

Yeas:

Messrs:

Barbour	Hamburger	Leith	Reese
Bayles	Hamner	Lowe	Reid
Blackmon	Hayes	Lusk	Reynolds
Doster	Heacock	Merritt	Teasley
Glehn	Jones	Moody	Thomas
Gunn	King		

Nays: Mr. Wilson—1.

And said bill as thus amended,
Was read a third time at length and passed.
Yeas, 22; nays, 1.

Yeas:

Messrs:

Barbour	Hamburger	Leith	Reese
Bayles	Hamner	Lowe	Reid
Blackmon	Hayes	Lusk	Reynolds
Doster	Heacock	Merritt	Teasley
Glenn	Jones	Moody	Thomas
Gunn	King		

—22.

Nays: Mr. Wilson—1.

ORDER TO PRINT AND SETTING SPECIAL ORDER.

On motion of Mr. Reese:

H. 365. To classify the public schools of Alabama and to name the branches of study to be taught in the same.

Was postponed until the 12th day of July, 1907. And the same was made a special order for that day at 1 o'clock p. m., and 500 copies ordered printed for the use of the Senate.

INDEFINITE POSTPONEMENT OF BILL.

On motion of Mr. Blackmon:

S. 317. To amend sections 6, 9, 10, 16, 17, 19, and 20 of an act entitled an act to provide for the redistricting of the public schools of the State and for the management and control of the same, approved September 30th, 1903.

Was indefinitely postponed.

ORDER TO PRINT AND POSTPONEMENT OF BILL.

On motion of Mr. Jones, the further consideration of,
H. 562. To regulate the practice of pharmacy and the sale of poisons in the cities and towns of more than

nine hundred inhabitants in the State of Alabama, and fixing the penalty for violations thereof, and to repeal chapter 89 of the civil code of Alabama, 1896, and section 5335 of the criminal code of Alabama, 1896, and all other laws in conflict with the provisions of this act.

Was postponed until Saturday, July 13, 1907, at 12 o'clock m., and 500 copies of same was ordered printed for the use of the Senate.

APPOINTMENT ON CONFERENCE COMMITTEE.

Mr. Spragins one of the conference committee on part of the Senate on

S. 142. For the government of juvenile delinquents in the county of Mobile, Alabama:

Being absent, the President appointed Mr. Lusk in his stead.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has non-concurred in the Senate amendment to the House bill H. 491. To fix and provide for the salaries of city officers in the cities of the State of Alabama having a population of over twenty-five thousand inhabitants.

And the House herewith returns to the Senate the said bill for its further consideration.

Cyrus B. Brown, Clerk.

HOUSE MESSAGE.

On motion of Mr. Reese the Senate insisted on its amendments to House bill 491, (the title to which is set out in the foregoing message from the House), and requests a committee of conference. Committee on the part of the Senate, Messrs. Teasley, Overton and Reese.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bills and ordered the same sent forthwith to the Senate without engrossment:

H. 552. To require the sheriffs of the various counties of the State of Alabama to procure from the office of the United States Internal Revenue Collector a list of all persons, firms or corporations in their respective counties, to whom licenses have been issued for the sale of spirituous, vinous or malt liquors and to publish the same in some newspaper published in said counties.

And sends same herewith to the Senate.

H. 827. For the relief of Mrs. Leanna J. Humble, a resident of DeKalb county, indigent widow of David Humble, who was a confederate soldier, and a citizen of DeKalb county, Alabama, at the time of his death, making her a confederate pensioner under the act of the General Assembly of Alabama, approved the 10th day of Feb., 1899, and entitled "An act for the relief of needy confederate soldiers and sailors, resident citizens of Alabama, and their widows."

And sends the same herewith to the Senate with notice and proof attached and herewith exhibited as follows:

Notice and Proof. H. 827.

NOTICE OF LOCAL LAW.

To whom it may concern:

Notice is hereby given to all person concerned: That at the present session of the Legislature of Alabama now in session, a bill will be introduced in said Legislature the substance of which is as follows:

To make Leanna J. Humble, a resident of DeKalb county and widow of David T. Humble, a pensioner under an act of the General Assembly of Alabama approved on the 10th day of February, 1899, and entitled "an act for the relief of needy confederate soldiers and sail-

ors resident citizens of Alabama and their widows"—to place her name on the record of confederate pensioners kept in the State auditor's office—to put her in what is known as the fourth class of pensioners, and to direct the State auditor to issue to her yearly a warrant on the State treasury for the amount due pension-widows under said act approved February 10th, 1899, and send it to judge of probate court, of DeKalb county, who shall receipt for and deliver it as other pension warrants and that she shall be treated as other pensioned confederate widows under the laws of Alabama.

Fort Payne, Alabama, Feby. 14th, 1907.

I, Thos. H. Smith, Pub. of the Fort Payne Journal, a weekly newspaper published in the town of Fort Payne, DeKalb county, Alabama, do hereby certify that the notice of the application for the relief of Leanna J. Humble, a copy of which notice is hereto attached, was published in the Fort Payne Journal for four successive weeks, next prior to the date hereof.

Thos. H. Smith,
Pub. Fort Payne Journal.

Sworn to and subscribed before me this 14th day of Feby., 1907.

J. A. Croley,
Judge of Probate for DeKalb Co., Ala.

H. 828. To alter and re-arrange the boundaries of the town of Newberne, in Hale county, Alabama.

And sends same herewith to the Senate with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Hale County. }

Before me, Thomas E. Knight, a notary public, in and for said county and State, personally appeared Wm. E. W. Yerby, who being by me first duly sworn, deposes and says, that he is the editor and publisher of The Greensboro Watchman, a weekly newspaper published in Greensboro, Hale county, Alabama, that the following notice touching a proposed law to alter and rear-

range the boundaries of the town of Newberne, in Hale county, Alabama, was published for four consecutive weeks in The Greensboro Watchman, a weekly newspaper published at Greensboro, Alabama, commencing with the issue of said paper of January 17th, 1907; that the notice of said proposed law below written appeared in each issue of said weekly newspaper for four consecutive weeks; that said paper was published weekly during the time covered by said notice, and that said notice appeared in each weekly issue of said paper, and that said notice was in the following words, viz.:

"Notice is hereby given that the Legislature of Alabama at its present session will be asked to enact a law altering and rearranging the boundaries of the town of Newberne, in Hale county, Alabama, and that the following is the substance of the proposed law altering and re-arranging the boundaries of said town of Newberne, Ala.:

A BILL

To be entitled "an act" to alter and rearrange the boundaries of the town of Newberne, in Hale county, Alabama.

Section 1. Be it enacted by the Legislature of Alabama, That the corporate limits of the town of Newberne, in Hale county, Alabama, shall embrace the lands contained within the following boundaries, and none other, viz.: Bounded on the east by the line between the counties of Hale and Perry, on the south by section line between sections 25 and 36, township 19, range five east, and on the west by sections 26 and 23, township 19, range five east, and on the north by a line running along the south side of Marion road to the intersection of Main street of said town of Newberne, and thence due west to the western boundary of said town of Newberne, Ala., as herein defined."

Wm. E. W. Yerby,
Editor and Publisher of the Greensboro Watchman.

Sworn to and subscribed before me this the 20 day of February, 1907.

Thomas E. Knight,
Notary Public, Hale County, Ala.

H. 829. To further regulate the fine and forfeiture fund of Hale county, Alabama.

And sends same herewith to the Senate with notice and proof attached and herewith exhibited as follows:

Notice and Proof. H. 829.

~~The State of Alabama, }~~

Hale County. }

Before me, Thomas E. Knight, a notary public in and for said county and State, personally appeared Wm. E. W. Yerby, who being by me first duly sworn, deposes and says, that he is the editor and publisher of The Greensboro Watchman, a weekly newspaper published at Greensboro, Alabama, that the following notice touching a proposed act to further regulate the fine and forfeiture fund of Hale county, Alabama, was published for four consecutive weeks in the said The Greensboro Watchman, a weekly newspaper published at Greensboro, in Hale county, Alabama, commencing with the issue of said paper of January 10th, 1907; that the notice of said proposed law below written appeared in each issue of said weekly newspaper for four consecutive weeks; that said paper was published weekly during the time covered by said notice, and that said notice appeared in each weekly issue of said paper, and that said notice was in the following words, viz.:

"Notice is hereby given that the Legislature of Alabama, now in session will be asked to enact a local law for Hale county, further regulating the fine and forfeiture fund of said county by permitting claims payable out of said fine and forfeiture fund, and which claims have been heretofore properly approved, but not registered as provided by the act of the General Assembly of Alabama, approved Febr. 26, 1881, entitled "An act to regulate the fine and forfeiture fund of Hale county," to be now registered by the treasurer of Hale county, and which shall thereafter be paid as other claims

against the fine and forfeiture fund of said county, and in the order of their registration."

Wm. E. W. Yerby,
Editor and Publisher of The Greensboro Watchman.

Sworn to and subscribed before me this the 20 day of February, 1907.

Thomas E. Knight.

Notary Public, Hale County, Alabama.

Cyrus B. Brown, Clerk.

HOUSE MESSAGES.

The House bills in the foregoing House message were severally read once and referred to appropriate standing committees as follows:

H. 552. To Temperance.

H. 827. To Finance and Taxation.

H. 828 and 829. To Local Legislation.

ADJOURNMENT.

On motion of Mr. Barbour at 6 o'clock p. m., the Senate adjourned until Wednesday, March 6, 1907, at 9 o'clock, a. m.

THIRTY-SEVENTH DAY.

Wednesday, March 6th, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Price of the House of Representatives.

ROLL CALL.

Present:

Mr. President, and

Messrs:

Barbour	Davis	Gardner	Hamburger
Bayles	Doster	Glenn	Hamner
Blackmon	Forrester	Gunn	Hayes

Heacock	Lowe	Overton	Teasley
Hinson	Lusk	Reese	Thomas
Horton	Merritt	Reid	White
Jones	Miller	Reynolds	Wilson
King	Moody	Spragins	Wimberly
Leith	McWhorter	Strother	

—35.

JOURNAL.

The reading of the Journal of yesterday was, on motion of Mr. Lusk, dispensed with and the same was approved.

LEAVES OF ABSENCE.

No leaves of absence was granted today.

PRIVILEGES OF THE FLOOR.

The privileges of the floor were extended to Messrs. Joel W. Goodby, G. W. Darden, R. B. Kelly and J. E. Whitler for today.

CALL OF DISTRICTS AND COMMITTEES.

On motion of Mr. Lusk the call of Districts and Committees were dispensed with for today.

RESOLUTION.

Mr. Reynolds offered the following resolution :

S. J. R. 56. Be it resolved by the Senate, the House concurring, that all committees and commissions consisting of members of the Legislature which have been appointed or selected to sit during the recess shall draw the same per diem for each member of each of said committees or commissions and the auditor on the order of the respective chairmen of each of said commissions or committees shall so draw his warrant on the treasurer as to conform to the spirit of this resolution.

Which, under a suspension of the rules, was adopted.

REPORT FROM COMMITTEE ON REVISION OF JOURNAL.

Mr. Leith, from the committee on Revision of the Journal, reports as follows:

Mr. President—We, the committee on Revision of the Journal, have in session examined the Senate Journal for the 34th, 35th and 36th legislative days and find the same to be correct.

M. L. Leith, Chairman.

RESOLUTION.

Mr. Lusk offered the following resolution:

S. J. R. 57. Resolved by the Senate, the House of Representatives concurring, that only such bills as by final passage through either House may be perfected shall be considered. That after one o'clock p. m. only signing of bills and such other formal matters necessary to perfecting bills already passed be considered by either House. That the two Houses meet at 3 P. M. and continue in session until all bills passed are enrolled and signed.

Which was adopted.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in Senate amendment to H. B. 805.

H. 805. To amend sections one (1) and two (2) of an act entitled "An act to confer additional rights and powers including the right to acquire by purchase, or by condemnation lands and easements, upon corporations organized under the general laws or heretofore under a special act of the general assembly of the State of Alabama, and upon corporations organized under the laws of any other State of the United States, and which corporations have complied with the laws of Alabama in reference to foreign corporations and which have the

right by their charter to manufacture, supply and sell power produced by water as a motive force," approved October 1st, 1903; and to add sections 8 1-2 and 9 1-2 to said act defining the duties of such corporations to the public.

Cyrus B. Brown, Clerk.

REPORT OF CONFERENCE COMMITTEE.

Mr. President:

The conferees of the Senate and House of Representatives, appointed on the disagreeing votes of the two Houses on

H. B. 30. "To define who are delinquent children and to provide for their arrest, care and reformation," and the amendments adopted thereto by the Senate, having considered the bill and amendments, respectfully report and recommend:

1. That the House concur in the Senate amendment, striking out of Section 1, of the bill the words, "or sling shots."

2. That the Senate recede from all the other amendments adopted by the Senate, and in lieu thereof, adopt this amendment to Section 2, of the bill, "Provided, that, the court named in this section shall not have a jurisdiction of or over boys charged with any assault upon a girl or woman, who shall be proceeded against and tried as prescribed by law before the enactment hereof," and when this amendment is adopted by the Senate, that, the House do concur therein.

John A. Lusk,
H. E. Reynolds,
H. P. Merritt,

Conferees on part of Senate.

C. M. Shend,
Jere C. King,
Samuel Will John,

Conferees on part of House.

CONFERENCE REPORT.

On motion of Mr. Lusk, the Senate adopted and concurred in the report of the Conference Committee appointed on the disagreement of the two Houses over the Senate amendment to H. B. 30, the title to which is set out in the foregoing report of said Conference Committee as well as the proposed amendment thereto.

Yeas, 18; nays, 1.

Yeas:

Messrs:

Barbour	Heacock	Miller	Strother
Blackmon	Hinson	McWhorter	Teasley
Glenn	King	Reid	Wilson
Gunn	Lusk	Reynolds	Wimberly
Hayes	Merriitt		

—18.

Nays: Mr. Doster—1.

RESOLUTION.

Mr. Lusk offered the following resolution:

S. R. 57. Resolved by the Senate, that the House be requested to return House Bill No. 805.

H. 805. To amend sections one (1) and two (2) of an act entitled "An act to confer additional rights and powers including the right to acquire by purchase, or by condemnation lands and easements, upon corporations organized under the general laws or heretofore under a special act of the general assembly of the State of Alabama, and upon corporations organized under the laws of any other State of the United States, and which corporations have complied with the laws of Alabama in reference to foreign corporations and which have the right by their charter to manufacture, supply and sell power produced by water as a motive force," approved October 1st, 1903; and to add sections 8 1-2 and 9 1-2 to said act defining the duties of such corporations to the public.

Which, under a suspension of the rules, was adopted.

MESSAGE FROM THE HOUSE.

Mr. President:

The House accedes to the request of the Senate for a Committee of Conference on the disagreement of the two House on the Senate amendment to,

H. 491. To fix and provide for the salaries of city officers in the cities of the State of Alabama, having a population of over 25,000 inhabitants.

Committee on part of the House—Messrs. John, Gunter and Lyons.

And herewith returns said bill to the Senate.

And has concurred in and adopted the Conference report on,

H. B. 30. To define who are delinquent children and to provide for their arrest, care and reformation.

Cyrus B. Brown, Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in the Senate amendment to the bill H. 692.

H. 692. To amend sections 6, 9, 10, 16, 17, 19 and 20, of an act entitled "An act to provide for the redistricting of the public schools of the State and for the management and control of the same," approved September 30, 1903.

Cyrus B. Brown, Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The speaker of the House having signed the following House bills, your signature thereto is requested:

H. 566. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous, or malt liquors, or other intoxicating drinks within five miles of Foley and within two and one half miles of the Episcopal church at Magnolia Springs, Alabama.

H. 732. To make a supplemental appropriation for the payment of the increased salaries of the judicial officers of this State.

H. 678. To ratify and make legal the warrants issued to the probate judge and sheriff of Walker county, Alabama, for services rendered in holding the county court of said county from March 6, 1903, to June 9, 1905.

H. 630. To amend an act to incorporate the town of Jackson, Clarke county, Alabama, approved February 15th, 1897.

H. 735. To provide for and regulate the working of the public roads in Tallapoosa county.

H. 179. To make appropriation for the maintenance of the Alabama Industrial School for white boys for the years 1907, 1908, 1909 and 1910.

H. 149. For the relief of A. A. Heard, an ex-Confederate soldier, being a resident of Marion county, Alabama.

H. 679. To ratify and make legal claims against the fine and forfeiture fund of Walker county all claims issued from March 6th, 1903, to June 9th, 1905, to the sheriff and circuit clerk of said county against said fund for services performed in and for the court acting as the county court of Walker county, and for the circuit court while said court was held or attempted to be held under what was known as the 14th judicial circuit act approved March 6th, 1903.

H. 557. To amend an act entitled an act to amend an act entitled an act, to regulate the issue of garnishments and the proceedings thereon in the county of Morgan, approved Dec. 9, 1896.

Cyrus B. Brown, Clerk.

SIGNING OF BILLS.

The president of the Senate, in the presence of the Senate, immediately after their titles had been publicly read at length by the secretary, signed the above House bills, the titles of which are set out in the foregoing message from the House, the reading at length of said

bills having been dispensed with, by a two-thirds vote of a quorum of the Senate present.

MESSAGE FROM THE HOUSE.

Mr. President:

~~The House has concurred in and adopted the amendment proposed by the governor to the bill, S. 128. To confer jurisdiction of all misdemeanors on the county court of Clarke county, and to define the jurisdiction of said court, to regulate the practice therein, to provide for a judge, solicitor and clerk of said court and to fix their compensation," by a majority vote of the whole House, the vote on said amendment being,~~

Yeas, 60; nays, 0.

And herewith returns the same to the Senate.

Cyrus B. Brown, Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The speaker of the House having signed the following House bills, your signature thereto is requested:

H. 819. To dissolve the board of trustees of the Medical College of Alabama, and to vest the ownership and control of the property of the Medical College in the board of trustees of the University of Alabama.

H. 835. To authorize municipal corporations to levy and collect a license tax on all exhibitions, trades, businesses, vocations, occupations, and professions which are now or may hereafter be engaged in or carried on within the limits of such municipal corporation.

H 767. To amend section 7 of an act approved Oct. 1st, 1903, to amend an act to establish the Tuscaloosa county law and equity court so as to fix the salary of the judge of said court at twenty-seven hundred dollars per annum payable monthly.

H. 831. To fix the salary of the judge of the 10th judicial circuit of the State of Alabama at the sum of forty-five hundred (\$4500.00) dollars per annum, and to provide for the payment of as much thereof out of the

State treasury as shall be paid to other circuit judges of the State of Alabama, and for the payment of the remainder thereof out of the treasury of Jefferson county.

H. 715. To authorize the court of county commissioners or board of revenue of any county authorized to levy a special tax for working the public roads to transfer to the road fund any surplus of general county funds in the county treasury.

H. 202. For the relief of needy Confederate soldiers and sailors who are resident citizens of the State of Alabama, and their widows, by the appropriation of three hundred and fifty thousand dollars annually for the fiscal year beginning on the first day of October 1907, on the first day of October 1908, on the first day of October 1909, and on the first day of October 1910, and to fix the amount and manner of paying the same.

H. 845. To grant to any person, firm or corporation acquiring necessary lands on both sides of a navigable river, and organized for the purpose of developing water power and electrically transforming and distributing the same, for the use of the public, to construct dams and locks in navigable rivers for the development of water power. To grant perpetual and exclusive easements for power purpose to and in the waters and beds of said rivers.

Cyrus B. Brown, Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read at length by the secretary, signed the above House bills, the titles of which are set out in the foregoing message from the House, the reading at length of said bills having been dispensed with, by a two-thirds vote of a quorum of the Senate present.

MESSAGE FROM THE HOUSE.

Mr. President:

The speaker has named Messrs. White of Perry, and Bloch on the Committee of Conference on the disagreement of the two Houses on Senate amendments to H. 610, in lieu of Messrs. Woolf and White of Lamar, who ~~have been relieved from serving on such committee on account of sickness.~~

Cyrus B. Brown, Clerk.

REPORT FROM THE COMMITTEE ON ENROLLED BILLS.

Mr. President:

The Committee on Enrolled Bills have examined and compared the following bills and resolution:

S. 12. To define, prohibit and punish aiding and abetting or counselling or procuring an unlawful sale, purchase, gift or other unlawful disposition of spirituous, vinous or malt liquors, or other liquors prohibited by law from being sold, given or otherwise disposed of.

S. 69. To amend sections 897, 900, 905, 906, 907, 908, and 911 of article 1, chapter 19 of the code of Alabama.

S. 74. To amend sections 1310 and 1311 of the code of Alabama of 1896.

S. 154. To define and regulate public warehouses for the storage of cotton or other articles of value for compensation, and to provide a punishment for the violation of the provisions of this act.

S. 188. To provide that under certain conditions an election may be held in the several counties in Alabama, each county acting by and for itself only, as to whether municipal corporations in such counties shall have authority to buy and sell spirituous, vinous and malt liquors; to provide that the voters at said election shall vote "for dispensary" or "against dispensary", to declare the result and effect of said election, to define the term "dispensary," as used in this act, to provide that in those counties in which, at the election aforesaid, a majority of the votes are cast "For Dispensary," the

municipal corporations in said counties shall have authority to establish, maintain and operate dispensaries, and in and through such dispensaries to buy and sell spirituous, vinous and malt liquors; to prohibit and punish the selling of liquors and intoxicating drinks in said counties in any other way than by such municipal corporations through their dispensaries; to declare that the violation of certain provisions of this act shall be a misdemeanor and to provide for the punishment thereof, and to further regulate the sale of liquors in said counties; this act not being intended, however, to repeal or affect any law which prohibits the sale of liquors in any county or part of a county or to repeal or affect any law which authorizes municipal corporations to buy and sell liquors in any county or part of a county by and through dispensaries, or to repeal any local law authorizing the sale, without license, of wines made from grapes or berries grown in this State.

S. 207. To amend an act approved March 4th, 1903, entitled an act to create a Text Book Commission, and to procure for use in the public free schools in this State, a uniform series of text books; to define the duties and powers of said commission and other officers; to make an appropriation for the carrying into effect of this act; to provide punishment and penalty for the violation of the same.

S. 219. To provide for the revocation of the license or right to engage in or carry on the business of the transportation, originating and terminating in this State, of freight or passengers, of any foreign corporation which is now engaged, or which may hereafter engage, in such business, or the business of common carrier in this State, in the event such corporation shall for any of the purposes specified in this act, institute in any federal court any suit or proceeding or shall remove or cause to be removed to any federal court any suit or proceeding instituted in any State court for any of the purposes specified in this act.

S. 249. To provide for the purchase of two surveyors transits for the two commissioned county surveyors for Calhoun county at the expense of Calhoun county.

S. 261. To ratify and make legal all claims issued to State witnesses from March 6th, 1903, to June 9th, 1905, by the clerk of the circuit court of Walker county, or by the judge of the county court of Walker county, or by the person acting as and claiming to be judge of the county court of said county, or the clerk or person acting as clerk of said court, or issued by the foreman of any grand jury organized under what is known as the 14th judicial circuit act, approved March 6th, 1903.

S. 264. To amend section 2 of an act entitled "an act to establish a charter for the town of Lineville, Clay county, Alabama," approved December 14th, 1898.

S. 292. To authorize the chief justice and associate justice of the supreme court to appoint two secretaries for the supreme court and to fix their compensation and make appropriation therefor.

S. 301. To dispose of all surplus monies coming into the fine and forfeiture fund of Jefferson county, Alabama.

S. 303. To amend an act entitled an act, to authorize the court of county commissioners of Jefferson county to purchase claims against the fine and forfeiture fund of said county.

S. 328. To re-arrange and extend the corporate limits of the town of Linden, Marengo county, Alabama.

S. 329. To grant to towns and cities which own and operate dispensaries the power to contract with the governing body of the county in which such town or city is situated to give to such county fifty per cent of the net revenue of such dispensary for the purpose of paying interest upon, and providing a sinking fund for the redemption of, any bonds issued by such county for the purpose of constructing public roads in such county.

S. 332. To authorize the county commissioners of Perry county, Alabama, to appropriate annually from the funds of said county the sum of two hundred and fifty dollars for the use of the county board of education of said county to be used by said board for the sole and only purpose of advancing the interests of the public schools of said county.

S. 334. To vacate and annul that part of Twenty-seventh street, in the city of Birmingham, Alabama, lying between First avenue, north, and Tenth avenue, north, in said city as a public street or highway and to annul and extinguish the dedication thereof.

S. 335. To vacate and annul the alleyways in blocks 204, 205 and 206; the east half of the alleyway in block 207, and the east half of the alleyway in block 203, in the city of Birmingham, Ala.; also all that part of Fourth avenue, north, lying between Twenty-sixth street, north, and Twenty-seventh street, north, in said city; also all that part of Sixth avenue, north, extending from the boundary line between lots 18 and 19, in block 207, in said city (if projected across said avenue) to the western boundary lines of Twenty-seventh street; also that part of Third avenue, in said city, extending from the boundary line between lots 15 and 16, in block 204, in said city (if projected across said avenue), to the western boundary line of Twenty-seventh street.

S. 341. To amend sections five and fifteen of an act entitled 'an act to declare the powers and jurisdictions of the city court of Anniston, approved December 9th, 1896, and to amend section ten of an act approved March 4th, 1903, entitled, 'an act to amend sections nine, ten and sixteen of an act to declare the powers and jurisdictions of the city court of Anniston, approved December 9th, 1896,' and to amend section two of an act approved December 13, 1900, entitled 'an act to amend sections four and eleven of an act entitled 'an act to declare the powers and jurisdiction of the city court of Anniston,' approved December 9th, 1896.'"

S. 342. To regulate the practice in the circuit court of Calhoun county.

S. J. R. No. 42. A resolution to appoint a committee to examine into combination or trust among and between manufacturers of guano and fertilizers and to inquire into violation of the law concerning guano and fertilizer.

S. 175. To further regulate and prohibit the dealing in future contracts in the State of Alabama.

S. 272. To authorize cities and towns in the State of Alabama, to provide for the drainage thereof by sanitary and storm water sewers, ditches, surface drains, aqueducts and canals, to prescribe rules and regulations for the installation of plumbing, to enforce connection with and the use of such sewers or drains, and to regulate the same.

~~And find same correctly enrolled~~

March 6, 1907.

Frank S. Moody,
Chairman Committee on Enrolled Bills.

SIGNING OF BILLS.

The president of the Senate, in the presence of the Senate, immediately after their titles had been publicly read at length by the secretary, signed the above resolutions and Senate bills, the titles of which are set out in the foregoing report from the Committee on Enrolled Bills, the reading at length of said bills and resolution having been dispensed with, by a two-thirds vote of a quorum of the Senate present.

MESSAGE FROM THE HOUSE.

Mr. President:

The House accedes to the request of the Senate for a Committee of Conference on the disagreement of the two Houses on the Senate amendments to the bill H. 243. To enlarge the insurance laws of the State.

Committee on part of the House—Messrs. Rushton, Smith of Lee, and Sherwood.

Cyrus B. Brown, Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has adopted the following House Joint Resolution:

H. J. R. 212. Resolved by the House of Representatives, the Senate concurring therein, that the governor

be requested by the legislature to pay such funeral expenses of the late Wm. L. Martin, speaker of the House of Representatives, as meet his approval, out of the contingent fund, subject to his disposal and report the same to the Houses after recess.

Cyrus B. Brown, Clerk.

HOUSE MESSAGE.

On motion of Mr. Lusk the Senate concurred in the foregoing House Joint Resolution No. 212, set out in the foregoing message from the House.

MESSAGE FROM THE GOVERNOR.

To the Senate of Alabama:

I return herewith S. B. 175 entitled an act to further regulate and prohibit the dealing in future contracts in the State of Alabama and I propose the following amendments to said bill which will remove my objections thereto.

Amend section 3 of said bill by adding after the words "five hundred dollars," and before the word "may", the word "and."

B. B. Comer, Governor.

March 6th, 1907.

GOVERNOR'S MESSAGE.

On motion of Mr. Reese the Senate adopted and concurred in the amendment proposed by the governor to S. B. 175, the title to which and the proposed amendment thereto is set out in the foregoing message from the governor.

Yeas, 26; nays, 1.

Yeas:

Messrs:

Barbour	Heacock	Miller	Reynolds
Bayles	Hinson	Moody	Strother
Doster	King	McWhorter	Teasley
Glenn	Leith	Overton	Thomas
Gunn	Lowe	Reese	White
Hamner	Lusk	Reid	Wilson
Hayes	Merritt		

Nays: Mr. Blackmon—1.

Which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE.

~~Mr. President:~~

The House herewith returns to the Senate, under Senate Resolution No. 57,

H. 805. To amend sections one (1) and two (2) of an act entitled an act to confer additional rights and powers including the right to acquire by purchase, or by condemnation lands and easements upon corporations organized under the general laws or heretofore under a special act of the general assembly of the State of Alabama, and upon corporations organized under the laws of any other state in the United States, and which corporations have complied with the laws of Alabama in reference to foreign corporations and which have the right by their charter to manufacture supply and sell power produced by water as a motive force," approved October 1st, 1903, and to add sections (8 1-2) and (9 1-2) to said act defining the duties of such corporations to the public.

Cyrus B. Brown, Clerk.

HOUSE MESSAGE.

Mr. Lusk moved to reconsider the vote by which H. 805, (the title to which is set out in the foregoing message from the House) passed the Senate on yesterday which motion prevailed. Mr. Lusk then moved to reconsider the vote by which said bill was ordered engrossed and read a third time, which motion prevailed.

Mr. Lusk then moved to reconsider the vote by which the Senate adopted the amendment to said bill on yesterday which motion prevailed, and Mr. Lusk then withdrew said amendment and Mr. King offered the following amendment in lieu thereof:

Amend by inserting after word "factory" in lien 10, page three, the words, "or other industry using water power."

And after the word "manufactory" in line 11, page three, add the words, "or other industry using water power."

Which was adopted.

Yeas, 20; nays, 1.

Yeas:

Messrs:

Barbour	Gunn	Leith	McWhorter
Bayles	Hayes	Lowe	Overton
Blackmon	Heacock	Lusk	Reid
Doster	Hinson	Merritt	Reynolds
Glenn	King	Moody	Wilson

—20.

Nays: Mr. Strother—1.

And said bill as thus amended was read a third time at length and passed.

Yeas, 19; nays, 2.

Yeas:

Messrs:

Barbour	Hayes	Lusk	Overton
Bayles	Heacock	Merritt	Reid
Doster	Hinson	Miller	Reynolds
Glenn	Leith	Moody	Wilson
Gunn	Lowe	McWhorter	

—19.

Nays: Messrs King and Strother—2.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the amendment proposed by the governor to the bill,

S. 175. "To further regulate and prohibit the dealing in future contracts in the State of Alabama," by a majority vote of the whole House, the vote on said amendment being, Yeas, 65; nays, 0.

And returns same herewith to the Senate together with the governor's message.

Cyrus B. Brown, Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has received from his excellency, the governor, the messages herewith sent proposing amendments to the following House bills:

H. 245. To provide for the better equipment and support of the University of Alabama and to appropriate funds therefor.

And the House has concurred in and adopted the amendment proposed by the governor to the bill, H. 245, by a majority vote of the whole House, the vote on said amendment being, Yeas, 58; nays, 0.

H. 769. To better provide for the revenue of the State and the more efficient assessment and collection of taxes, and for this purpose to create a commission to be known as the State Tax Commission of Alabama; and to prescribe the powers and duties of said commission, and its mode of procedure, and to abolish the office of State Tax Commissioner.

And the House has concurred in and adopted the amendment proposed by the governor to said bill, by a majority vote of the whole House, the vote on said amendment being, Yeas, 54; nays, 0.

H. 611. To provide for the revenue of the State by requiring all foreign corporations authorized to do business in this State under the laws of the State of Alabama to pay an annual franchise tax.

And the House has concurred in and adopted the amendment proposed by the governor to the said bill by a majority of the whole House, the vote on said amendment being, Yeas, 55; nays 1.

H. 615. To amend sections 1321 and 1322 and the code of 1896.

And the House has concurred in and adopted the amendment proposed by the governor to said bill by a majority vote of the whole House, the votes on said amendment being, Yeas, 54; nays, 0.

And the House herewith sends the said bills, H. 245, H. 769, H. 611, and H. 615, together with the governor's messages to the Senate for its consideration.

Cyrus B. Brown, Clerk.

HOUSE MESSAGE.

On motion of Mr. Lusk the Senate adopted and concurred in the amendment proposed by the governor to H. 245, the title to which is set out in the foregoing message from the House, and the proposed amendment thereto is contained in the following message from the governor to the House of Representatives, to-wit:
To the House of Representatives:

I return herewith House bill No. 245 entitled an act to provide for the better equipment and support of the University of Alabama and to appropriate funds therefor; and I propose the following amendment to said bill, which will remove my objection thereto: Amend section 3 of said bill by adding at the end thereof the following words: "Provided, however, that the appropriation of one hundred thousand dollars made in section 2 of this act shall not be available and the auditor shall not draw his warrant for any part of said sum except upon the requisition of the board of trustees of the University of Alabama, or the president thereof, approved by the governor."

B. B. Comer, Governor.

Montgomery, Ala., March 6, 1907.

Yeas, 22; nays, 1.

Yeas:

Messrs:

Barbour	Heacock	Merritt	Reid
Bayles	Hinson	Moody	Reynolds
Doster	King	McWhorter	Strother
Glenn	Leith	Overton	White
Gunn	Lowe	Reese	Wilson
Hayes	Lusk		

—22.

Nays: Mr. Blackmon—1.

And on motion of Mr. Lusk the Senate adopted and concurred in the amendments proposed by the governor to House bill 769, the title to which is set out in the

foregoing message from the House, and the proposed amendment thereto is contained in the following message from the governor to the House of Representatives, to-wit:

To the House of Representatives:

I return herewith House bill No. 769 entitled an act ~~to better provide for the revenue of the State and the more efficient assessment and collection of taxes, and~~ for this purpose to create a commission to be known as the State Tax Commission, and to prescribe the powers and duties of said commission and its mode of procedure and to abolish the office of State Tax Commissioner," and I propose the following amendment to said bill which will remove my objections thereto. Amend sub-division 6 of section 9 of said bill by adding at the end thereof the following words:

"Provided, however, where such person partnership, company, association or corporation is not engaged in a business which is subject to a tax on gross receipts, or on capital employed in this State, or on franchise or on intangible property the said tax commission shall not inquire into, nor shall it require information as to the liabilities, earnings, profits and loss, expenses or conduct of business of such person, partnership, company, association or corporation."

B. B. Comer, Governor.

Yeas, 20; nays, 2.

Yeas:

Messrs:

Barbour	Hamner	Lusk	Reese
Bayles	Hayes	Merritt	Reid
Doster	Heacock	Moody	Reynolds
Glenn	Leith	McWhorter	Strother
Gunn	Lowe	Overton	Wilson

—20.

Nays: Messrs. Blackmon, King—2.

On motion of Mr. Lusk the Senate adopted and concurred in the governor's amendment to House bill No. 611, the title to which is set out in the foregoing message from the House, and the amendment proposed by

the governor thereto is set out in the following message from the governor to the House of Representatives, to-wit:

To the House of Representatives:

I herewith return H. bill No. 611 entitled an act to provide for the revenue of the State by requiring all foreign corporations authorized to do business in this State under the laws of the State of Alabama to pay an annual franchise tax, and I propose the following amendment which will remove my objection to said bill: Amend section 1 by striking out sub-division "C" and "D" and inserting in lieu thereof thereof the following:

"C. Each foreign corporation whose actual amount of capital employed in this State exceeds one thousand dollars shall pay an annual franchise tax of twenty-five per centum on the first one hundred dollars of such actual amount of capital employed in this State by it and five per centum upon all such actual capital employed by it in this State in excess of one hundred dollars and up to and including one thousand dollars and one-tenth of one per centum upon all such remaining actual amount of capital employed in this State by it over and above one thousand dollars."

B. B. Comer, Governor.

Yeas, 22; nays, 2.

Yeas:

Messrs:

Barbour	Hayes	Merritt	Reid
Bayles	Heacock	Moody	Reynolds
Doster	Hinson	McWhorter	Strother
Glenn	Leith	Overton	Thomas
Gunn	Lowe	Reese	Wilson
Hamner	Lusk		

—22.

Nays: Messrs. Blackmon, King—2.

On motion of Mr. Lusk the Senate adopted and concurred in the amendments proposed by the governor to the House bill No. 615, the title to which is set out in the foregoing message from the House, and the proposed

amendment thereto is contained in the following message from the governor to the House of Representatives, to-wit:

To the House of Representatives:

~~I herewith return H. B. No. 615, entitled an act to amend sections 1321 and 1322 of the code of 1896; and I propose the following amendment to said bill which will remove my objection thereto:~~

Amend section 1 of said bill by striking out the words "up to \$100,000 and 1-20 of 1 per cent on all such actual amount of capital in excess of \$100,000 up to \$1,000,000. Each foreign corporation whose actual amount of capital employed in this State is in excess of \$1,000,000 shall pay a charter fee of 25 per centum of the first \$100.00 up to \$1,000.00 and 1-10 of one per centum of all such actual amount of capital so employed in excess of \$1,000 up to \$100,000, and one twentieth of one per centum of all such up to \$1,000,000 and upon all such actual amount of capital so employed in excess of \$1,000,000 actual amounts of capital so employed in excess of \$1,000,000 it shall pay 1-40 of one per centum."

Also amend said section by striking out the following words: "Provided foreign corporations whose principal or sole business is lending money shall not be required to pay more than one-fortieth of one per centum upon the amount of capital employed in this State by it."

B. B. Comer, Governor.

Yeas, 22; nays, 2.

Yeas:

Messrs:

Barbour	Hayes	Merritt	Reese
Bayles	Heacock	Miller	Reid
Doster	Hinson	Moody	Reynolds
Glenn	Leith	McWhorter	Strother
Gunn	Lowe	Overton	Wilson
Hamner	Lusk		

Nays: Messrs. Blackmon, King—2.

INDEFINITE POSTPONEMENT OF BILL.

On motion of Mr. McWhorter,

S. 364. To amend sections one (1) and two (2) of an act entitled an act to confer additional rights and powers, including the right to acquire by purchase, or by condemnation lands and easements, upon corporations organized under the general laws, or heretofore under a special act of the general assembly of the State of Alabama and upon corporations organized under the laws of any other State of the United States, and which corporations have complied with the laws of Alabama in reference to foreign corporations, and which have the right by their charter to manufacture, supply and sell power produced by water as a motive force, approved October 1st, 1903, and to add sections 8 1-2 and 9 1-2 to said act, defining the duties of said corporation to the public.

Was indefinitely postponed.

NOTICE.

Mr. Blackmon declines to pursue further his notice of his intention to move to reconsider the vote by which Senate bill 69 passed or the House amendments thereto were adopted.

REPORT OF CONFERENCE COMMITTEE.

To the Senate and House of Representatives:

The Senate Committee on Conference and the House Committee on Conference to consider the Senate amendments to House bill 610 in which amendments the House refused to concur, beg leave to report as follows:

1. We recommend that the Senate amendment to make sub-section D. of sub-section 7 of section 1 read as follows:

"D. There shall be no advalorem tax collected upon any such instrument, or the debts secured thereby, which shall have paid the tax prescribed by this act,

either State, county or municipal." Be concurred in and adopted.

2. We further recommend that the Senate amendments to section 1 adding sub-section I. J. and K. in words and figures as follows, viz:

1. All money lent, solvent credits, or credits of value except such as are secured by mortgage, deed of trust, ~~or written contract of conditional sale, upon which a tax imposed by law has been paid.~~

J. All money employed in the business of advancing or lending on any kind of chattels choses in action or personal property, or used in buying or discounting notes, bonds or bills of exchange."

K. All moneyed capital used in any business which comes in competition with the business of national banks." Be concurred in and adopted.

3. We further recommend that section 3 as amended by the Senate by striking out the word "or" where it occurs next after the words "purpose of conducting a fire insurance business" and inserting in lieu thereof the word "for" be concurred in and adopted.

4. We further recommend that the Senate recede from all of its amendments to section 11 and the following be adopted in lieu thereof as a substitute for said section 11.

"Section 11. Each person, firm or corporation selling or delivering sewing machines either in person or through agents, and each person, firm or corporation who engages in the business of selling or delivering lightning rods, stoves, ranges, buggies or other vehicles shall pay the State twenty-five dollars annually for each county in which they may sell or deliver said articles, and for each wagon and team used in delivering or displaying the same, they shall pay to the State an additional sum of ten dollars annually for each county in which they may so sell or display such articles provided this section shall not apply to merchants selling the above enumerated articles at their regularly established places of business.

Your committee further recommends the adoption of the following section:

Section 11 1-2. Every person, firm or corporation engaged in the business of selling or delivering pianos or organs in this State, either in person or by agent, or consignee shall pay an annual license of one hundred dollars for each county, in which they may so sell, provided that this license shall not apply to merchants or dealers having a permanent place or places of business in this State and keeping said articles as a part or all of their stock in trade. Such persons firms or corporations having a permanent place or places of business in this State and keeping said articles as part or all of their stock in trade shall pay to the State an annual license of one hundred dollars to be paid in the counties in which such permanent place or places of business is established and the payment of such license in such counties as evidenced by the official certificate of the judge of probate shall be sufficient notwithstanding they may so sell in other counties.

Section 5. We further recommend that the Senate amendment to section fifteen be made to read as follows to-wit:

Section 15. That every person, firm or corporation engaged in the business of bottling non-alcoholic, carbonated or other soft drinks shall be required to pay to the State an annual license tax as follows: In towns or cities of not more than 5,000 inhabitants, or within four miles thereof, twenty-five dollars.

And in towns or cities of five thousand inhabitants and not exceeding twenty thousand inhabitants or within four miles thereof, fifty dollars. And in all towns or cities, having more than twenty thousand inhabitants or within four miles thereof, one hundred dollars.

And the committee recommend that the same be concurred in and adopted:

Section 6. We further recommend that the Senate amendment adding at the end of section twenty, the following:

"For each factory, and each fertilizer mixing plant or factory shall pay an annual license of ten dollars," be concurred in and adopted.

Section 7. We further recommend that the Senate amendment making section twenty-one read as follows:

Section 21. That any person, firm or corporation operating any cotton seed oil mill, cotton mill, or cotton factory, shall pay an annual license fee, of ten dollars, where the investment of plant and fixtures is less than \$20,000, on each and every plant where the investment is over twenty thousand dollars and less than fifty thousand dollars, thirty dollars, on each and every plant where the investment is over fifty thousand dollars and under one hundred thousand dollars, fifty dollars, on each and every plant where the investment is over one hundred thousand dollars and under five hundred thousand dollars, one hundred dollars, on each and every plant over five hundred thousand dollars and under one million dollars, one hundred and fifty dollars, on each and every plant where the investment is over one million dollars, \$200 be concurred in and adopted.

Section 8. We further recommend that the Senate amendment striking out section 23 1-2 be concurred in and adopted.

Section 9. We further recommend that the Senate amendment striking out section 23 3-4 be concurred in and adopted.

Section 10. We further recommend that the Senate amendment adding section twenty-five in words and figures as follows:

Section 25. This act shall be incorporated in and made a part of the code to be adopted by the legislature," be concurred in and adopted.

Respectfully submitted,

O. C. Maner, S. D. Bloch, Geo. P. White, conference committee on part of the House of Representatives.

Nathan L. Miller, Chas. B. Teasley, W. T. Lowe, conference committee on part of Senate.

CONFERENCE REPORT.

On motion of Mr. Lusk the Senate concurred in and adopted the foregoing report of the conference committee on House bill No. 610.

Yeas, 14; nays, 7.

Yeas:

Messrs:

Glenn	Lowe	Reese	Strother
Hamner	Lusk	Reid	Teasley
Hayes	Miller	Reynolds	Thomas
Hinson	Moody		

—14.

Nays:

Messrs:

Barbour	Gunn	Leith	Wilson
Bayles	King	McWhorter	

—7.

RECESS.

At 12:50 o'clock, p. m., on motion of Mr. Barbour the Senate took a recess until 3 o'clock p. m.

AFTERNOON SESSION.

The Senate reassembled at 3 o'clock.

ROLL CALL.

Upon the call of the roll a quorum of the Senators answered to their names.

RESOLUTION NO. 58.

Mr. Gunn offered the following resolution:

"Resolved by the Senate, the House concurring, that the President of the Senate shall employ a chaplain, whose duty it shall be to conduct all religious services for both Houses, and who shall receive for his com-

pensation \$4.00 per day to be payable as a Senator is paid."

Which was read and referred to the Committee on Rules.

MESSAGE FROM THE HOUSE.

~~Mr. President:~~

~~The House has adopted the following H. J. R.~~

By Mr. John:

H. J. R. 209. Be it resolved by the legislature of Alabama, that neither House shall put upon its passage any bill, after five o'clock p. m., today, March 6th, 1907.
Cyrus B. Brown, Clerk.

HOUSE MESSAGE.

On motion of Mr. Lusk the Senate concurred in the foregoing House Joint Resolution No. 209.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following Senate bills:

S. 165. To establish a State Livestock Sanitary Board and the office of State Veterinarian in order to further protect livestock from contagious and infectious diseases and provide for eradicating and excluding such diseases from Alabama.

S. 358. To provide for the extension of the corporate limits of cities and towns having one thousand inhabitants or more, and fixing the rights, powers, duties, liabilities and jurisdictions of the city or town over the territory brought into the corporate limits, and the rights of the inhabitants thereof, and to provide for the apportionment between the city or town and county of the road and bridge tax collected by the county or the property within the city, and the expenditure of the funds by the city.

S. 372. To establish police commissions in cities of 35,000 population, or more, in counties of 125,000 or

more population and to define their terms of office, duties and powers.

S. 3. To amend section 3972 (502) of the Code of Alabama of 1896.

S. 4. To further define, prevent and punish unlawful use of money, securities, funds, or property of corporations, incorporated companies or incorporated associations by such corporations, incorporated companies or incorporated associations, servants, agents, officers or members thereof.

Cyrus B. Brown, Clerk.

REPORT CONFERENCE COMMITTEE.

To the President of the Senate and Speaker of the House of Representatives:

We your committee of conference on House bill No. 243 beg leave to report that we have agreed that the Senate amendments shall be amended by striking out the words "ten thousand" where they occur in such amendments and insert in lieu thereof the words "six thousand five hundred" and that said Senate amendments as amended and the bill as thus amended be adopted.

Ed. D. Hamner, W. M. Hayes, Jno. W. Overton, committee on part of the Senate.

M. W. Rushton, C. M. Sherrod, R. C. Smith, committee on the part of the House of Representatives.

CONFERENCE REPORT.

On motion of Mr. Hayes the Senate adopted and concurred in the conference report above set out, on the disagreement of the two Houses, on the Senate amendments to House bill No. 243 .

Yeas, 19; nays, 2.

Yeas:

Messrs:

Barbour	Heacock	Merritt	Reid
Glenn	Hinson	Moody	Reynolds
Gunn	King	McWhorter	Strother
Hamner	Leith	Overton	Wilson
Hayes	Lusk	Reese	

—19.

Nays: Bayles, Blackmon—2.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 113. To define vagrancy, and to provide for the proof and punishment thereof.

And sends same herewith to the Senate.

Cyrus B. Brown, Clerk.

HOUSE MESSAGE.

On motion of Mr. Reynolds the Senate concurred in the House amendment to Senate bill 113, (the title to which is set out in the foregoing message from the House) and which amendment is as follows:

Amend by striking out the following in sub-division M of section 1, "imprisoned in the county jail or."

Yeas, 19; nays, 4.

Yeas:

Messrs:

Barbour	Hamner	Leith	Reese
Bayles	Hayes	Lowe	Reid
Doster	Heacock	Lusk	Reynolds
Glenn	Hinson	McWhorter	Wilson
Gunn	King	Overton	

—19.

Nays:

Messrs:

Blackmon	Merritt	Moody	Strother
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—4.

REPORT CONFERENCE COMMITTEE.

To the President of the Senate:

The conference committee to which was referred the disagreement of the two Houses over the Senate amendment to H. B. 491, respectfully recommend that the Senate insist on its said amendment to-wit: "Amend by making thirty six hundred read five thousand dollars where it appears in the bill.

J. W. Overton, Chas. B. Teasley, H. F. Reese, committee on the part of the Senate.

Sam Will John, Gaston Gunter, A. S. Lyons, committee on the part of the House of Representatives.

CONFERENCE COMMITTEE.

On motion of Mr. Reese the Senate concurred in and adopted the foregoing report of the conference committee on Senate amendment to

H. 491. To fix and provide for the salaries of city officers of the State of Alabama having a population of over twenty-five thousand inhabitants.

Yeas, 19; nays, 3.

Yeas:

Messrs:

Barbour	Hayes	Merritt	Reid
Doster	Heacock	Moody	Reynolds
Glenn	Hinson	McWhorter	Strother
Gunn	King	Overton	Wilson
Hamner	Lusk	Reese	

—19.

Nays:

Messrs:

Bayles	Blackmon	Leith
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—3.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in the Senate amendments to the following House bills:

H. 202. For the additional relief of needy confederate soldiers and sailors, ~~who are resident citizens of the~~ State of Alabama, and their widows, by the appropriation of three hundred and fifty thousand dollars for the fiscal year beginning on the first day of October, 1907, on the first day of October, 1908, on the first day of October, 1909, and on the first day of October, 1910, and to fix the amount and manner of paying the same.

H. 805. To amend sections one (1) and two (2) of an act entitled an act to confer additional rights and powers including the right to acquire by purchase, or by condemnation lands and easements upon corporations organized under the general laws or heretofore under a special act of the general assembly of the State of Alabama, and upon corporations organized under the laws of any other state in the United States, and which corporations have complied with the laws of Alabama in reference to foreign corporations and which have the right by their charter to manufacture supply and sell power produced by water as a motive force," approved October 1st, 1903; and to add sections (8 1-2) and (9 1-2) to said act defining the duties of such corporations to the public.

Cyrus B. Brown, Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The speaker of the House having signed the following House bills, your signature thereto is requested:

H. 611. To provide for the revenue of the State, by requiring all foreign corporations authorized to do business in this State under the laws of the State of Alabama, to pay an annual franchise tax.

H. 245. To provide for the better equipment and support of the University of Alabama, and to appropriate funds therefor.

H. 692. To amend sections 6, 9, 10, 16, 17, 19 and 20 of an act entitled "An act to provide for the redistricting of the public schools of the State and for the management and control of the same, approved September 30, 1903.

H. 769. To better provide for the revenue of the State and the more efficient assessment and collection of taxes and for this purpose to create a commission to be known as the State tax commission of Alabama; and to prescribe the powers and duties of said commission, and its mode of procedure, and to abolish the office of State tax commissioner.

H. 805. To amend sections one (1) and two (2) of an act entitled an act to confer additional rights and powers including the right to acquire by purchase, or by condemnation lands and easements upon corporations organized under the general laws or heretofore under a special act of the general assembly of the State of Alabama, and upon corporations organized under the laws of any other state in the United States, and which corporations have complied with the laws of Alabama in reference to foreign corporations and which have the right by their charter to manufacture supply and sell power produced by water as a motive force," approved October 1st, 1903, and to add sections (8 1-2) and (9 1-2) to said act defining the duties of such corporations to the public.

H. 615. To amend sections 1321 and 1322 of the code of 1896.

H. 30. To define who are delinquent children and to provide for their arrest, care and reformation.

Cyrus B. Brown, Clerk.

SIGNING OF BILLS.

The president of the Senate, in the presence of the Senate, immediately after their titles had been publicly read at length by the secretary, signed the above House

bills, the titles of which are set out in the foregoing message from the House, the reading at length of said bills having been dispensed with, by a two-thirds vote of a quorum of the Senate present.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the report of the Conference Committee on disagreement of two Houses on the Senate amendments to the following House bills:

H. 491. To fix and provide for the salaries of city officers of the State of Alabama having a population of over twenty-five thousand inhabitants.

H. 243. To enlarge the insurance laws of the State.

Cyrus B. Brown, Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has adopted and concurred in the report of the Conference Committee on the disagreement of the two Houses on the Senate amendments to the bill,

H. 610. To further amend the revenue laws of the State of Alabama.

Cyrus B. Brown, Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following Senate bills:

S. 220. To repeal section sixteen of an act to establish a uniform system for the examination and licensing of teachers of public schools, approved February 10th, 1899, amended February 8th, 1901.

And herewith returns same to the Senate.

And has passed the following House bill, and has ordered same sent forthwith to the Senate without engrossment.

H. 863. To establish a normal school for education of white male and female teachers at Moundsville, in Hale county, Alabama.

And sends the same herewith to the Senate.

Cyrus B. Brown, Clerk.

HOUSE MESSAGE.

The House bill in the foregoing House message was read once and referred to appropriate standing committees as follows:

H. 863. To Agriculture.

REPORT FROM COMMITTEE ON ENROLLED BILLS.

Mr. President:

The Committee Enrolled Bills have examined and compared the following Senate bills:

S. 3. To amend section 3972 (502) of the code of Alabama of 1896.

S. 4. To further define, prevent and punish unlawful use of money, securities, funds, or property of corporations, incorporated companies or incorporated associations by such corporations, incorporated companies or incorporated associations, servants, agents, officers or members thereof.

S. 175. To further regulate and prohibit the dealing in future contracts in the State of Alabama.

S. 128. To create and establish a criminal court of record of Clarke county, Alabama, to be known and styled as the county court of Clarke county, Alabama; to define the jurisdiction of said court, to regulate the practice therein, to provide for a judge, solicitor and clerk of said court, and to fix their compensation.

S. 165. To establish a State Livestock Sanitary Board and the office of State Veterinarian in order to further protect live stock from contagious and infectious diseases and provide for eradicating and excluding such diseases from Alabama.

S. 358. To provide for the extension of the corporate limits of cities and towns having four hundred inhabitants or more, and fixing the rights, powers, duties, liabilities and jurisdiction of the city or town over the territory brought into the corporate limits, and the rights of the inhabitants thereof, and to provide for the apportionment between the city or town and county of the road and bridge tax collected by the county or the property within the city, and the expenditure of the funds by the city.

S. 372. To establish police commissions in cities of 35,000 population, or more, in counties of 125,000, or more, population, and to define their terms of office, duties and powers.

And find same correctly enrolled.

Frank S. Moody,

Chairman Committee on Enrolled Bills.

March 6, 1907.

SIGNING OF BILLS.

The president of the Senate, in the presence of the Senate, immediately after their titles had been publicly read at length by the secretary, signed the above Senate bills, the titles of which are set out in the foregoing report from the Committee on Enrolled Bills, the reading at length of said bill having been dispensed with, by a two-thirds vote of a quorum of the Senate present.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has adopted the following House Joint Resolution:

By Mr. Pitts, of Perry:

H. J. R. 213. Resolved by the House, the Senate concurring, that the committees heretofore provided for to investigate and report whether or not there is a trust or combination between the fertilizer factories shall also

investigate and report whether or not there is any trust or combination between the cotton seed oil mills.

Cyrus B. Brown, Clerk.

HOUSE MESSAGE.

The Senate concurred in the foregoing House Joint Resolution No. 213, set out in message from the House.

Yeas, 19; nays, 1.

Messrs:

Yeas:

Barbour	Hamner	Lowe	Reid
Blackmon	Hayes	Merritt	Reynolds
Doster	Heacock	Moody	Strother
Glenn	Hinson	McWhorter	Wilson
Gunn	King	Overton	

—19.

Nays: Mr. Leith—1.

RECESS.

At 4:25 o'clock p. m. on motion of Mr. Reynolds, the Senate recessed until 8 p. m.

NIGHT SESSION.

The Senate reassembled at 8 o'clock p. m.

ROLL CALL.

Upon a call of the roll a quorum of the Senators answered to their names.

SPECIAL ORDER SET.

On motion of Mr. Hinson,

S. 110. To regulate the carrying and use of fire-arms.

Was made a paramount continuing special order for Wednesday, July 10, 1907, at 12 o'clock M.

REPORT OF THE COMMITTEE ON ENGROSSED BILLS.

The Committee on Engrossed Bills report that they have examined Senate bills 377, 367, 322, and compared them with the original bills respectively, and find same correctly engrossed.

Evans Hinson,
Chairman pro tem.

MESSAGE FROM THE HOUSE.

Mr. President:

The speaker of the House has appointed the following committee, under

S. 210. To provide for a committee to read and revise the manuscript of the new code.

Messrs. Speaker, Johns, Foster, Maner and Steagall.
And the following committee under

H. 763. To provide for a joint committee to prepare a general municipal code.

Messrs. Gunter, King, Sherwood, Cranford and Norville.

And the following committee under the Senate Joint Resolution 42, relative to a committee investigate the so-called fertilizer trust or combination.

Messrs. Pitts of Perry, Power and Sample.

Cyrus B. Brown, Clerk.

HOUSE MESSAGE.

The Senate concurred in the foregoing House message H. 210, and confirmed the appointment of Recess committees by the speaker as therein set out.

APPOINTMENT OF COMMITTEES.

The president of the Senate in pursuance of the provisions of Senate bill 210. To provide for a committee to read and revise the manuscript of the new code, appointed as Recess committee on part of the Senate.

Messrs. Lusk, Merritt, Gardner.

And in pursuance of the provision of House Bill No. 763.

To provide for a joint committee to prepare a general municipal code.

Appointed as Recess committee on part of the Senate, Messrs. Strother, Gunn and Teasley.

And in pursuance of Senate joint resolution No. 42, relating to raising a joint committee to investigate the so-called fertilizer trust or combination.

Appointed as Recess committee on part of the Senate, Messrs. Leith and Overton.

And the secretary was directed to notify the House of such appointments.

MESSAGE FROM THE HOUSE.

Mr. President:

The speaker of the House having signed the following House bills your signature thereto is requested:

H. 491. To fix and provide for the salaries of city officers in the cities of the State of Alabama having a population of over twenty-five thousand inhabitants.

H. 243. To enlarge the insurance laws of the State.

H. 610. To further amend the revenue laws of the State of Alabama.

Cyrus B. Brown, Clerk.

SIGNING OF BILLS.

The president of the Senate, in the presence of the Senate, immediately after their titles had been publicly read at length by the secretary, signed the above House bills, the titles of which are set out in the foregoing message from the House, the reading at length of said bills having been dispensed with, by a two-thirds vote of a quorum of the Senate present.

MESSAGE FROM THE GOVERNOR.

To the Senate of Alabama:

I herewith return S. B. No. 175 entitled "an act to further regulate and prohibit the dealing in future con-

tracts in the State of Alabama." And I propose the following amendment to said bill which will remove my objection thereto.

Amend section 4 of said bill by adding the word, "and" after the words "two hundred dollars."

B. B. Comer, Governor.

March 6th, 1907.

GOVERNOR'S MESSAGE.

On motion of Mr. Reese the Senate concurred in and adopted the amendment proposed by the governor to S. B. No. 175, the title of which, and the proposed amendment thereto, are set out in the foregoing message from the governor.

Yeas, 23; nays, 1.

Yeas:

Messrs:

Barbour	Hayes	Lusk	Reese
Bayles	Heacock	Merritt	Reid
Doster	Hinson	Miller	Strother
Glenn	King	Moody	Teasley
Gunn	Leith	McWhorter	Wilson
Hamner	Lowe	Overton	

—23.

Nays: Mr. Blackmon—1.

Which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has adopted the following joint resolutions:

H. J. R. 216. Resolved by the Legislature of Alabama, that the governor be requested to return to the House of Representatives for correct enrollment House bill 610, entitled an act to further amend the revenue laws of the State of Alabama.

H. J. R. 217. Resolved by the House, the Senate concurring, that the capitol commission are hereby authorized to have a passenger elevator constructed and placed in the front hall of the capitol by the time the Legislature re-assembles in July next.

And send the same to the Senate for its consideration.

Cyrus B. Brown, Clerk.

HOUSE MESSAGE.

The Senate concurred in H. J. R. No. 216 and H. J. R. No. 217, set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has adopted the following the House joint resolution:

H. J. R. 218. "Resolved by the Legislature of Alabama, that the speaker of the House and the president of the Senate be requested to erase their signatures from H. B. 610. 'To further amend the revenue laws of the State of Alabama.'"

And herewith sends same to the Senate.

Cyrus B. Brown, Clerk.

HOUSE MESSAGE.

On motion of Mr. Lusk the Senate concurred in House joint resolution No. 218, which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the amendment proposed by the governor to the bill S. 175. To further regulate and prohibit the dealing in future con-

tracts in the State of Alabama," by a majority vote of the whole House the vote on said amendment being, Yeas, 55; nays, 0.

And sends same herewith to the Senate.

Cyrus B. Brown, Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The speaker of the House having erased his signature from the bill, H. 610, To further amend the revenue laws of the State of Alabama, you are requested to erase your signature from the said bill.

Cyrus B. Brown, Clerk.

HOUSE MESSAGE.

On motion of Mr. Lusk, the president of the Senate, in the presence of the Senate, erased his signature from House bill No. 610, the title to which appears in the foregoing message from the House.

REPORT FROM THE COMMITTEE ON ENROLLED BILLS

Mr. President:

The Committee on Enrolled Bills have examined the following Senate bills:

S. 175. To further regulate and prohibit the dealing in future contracts in the State of Alabama.

S. 220. To repeal section sixteen of an act to establish a uniform system for the examination and licensing of teachers of public schools, approved February 10th, 1899, amended February 8th, 1901.

S. 113. To define vagrancy, and to provide for the proof and punishment thereof.

And find same correctly enrolled March 6, 1907.

Frank S. Moody, Chairman.

SIGNING OF BILLS.

The president of the Senate, in the presence of the Senate, immediately after their titles had been publicly read at length by the secretary, signed the above

Senate bills, the titles of which are set out in the foregoing report from Committee on Enrolled Bills, the reading at length of said bills having been dispensed with, by a two-thirds vote of a quorum of the Senate present.

RESOLUTION.

Mr. McWhorter offered the following resolution:

“Resolved, That the thanks of the Senate be tendered the Lieut. Governor, Hon. Henry B. Gray, for the fair, just and impartial manner in which he has presided over the deliberations of this body, to the entire satisfaction of the Senate, and to the advantage of the State which has honored him so highly.”

Which was unanimously adopted and ordered spread at length upon the Journal.

MESSAGE FROM THE HOUSE.

Mr. President:

The speaker of the House having signed the following House bill your signature thereto is requested:

H. 610. To further amend the revenue laws of the State of Alabama.

Cyrus B. Brown, Clerk.

SIGNING OF BILLS.

The president of the Senate, in the presence of the Senate, immediately after their titles had been publicly read at length by the secretary, signed the above House bill, the title of which is set out in the foregoing message from the House, the reading at length of said bill having been dispensed with, by a two-thirds vote of a quorum of the Senate present.

COMMITTEE TO WAIT UPON THE HOUSE AND GOVERNOR.

The President appointed the following senators to wit: Messrs. Merritt and Barbour to wait upon the House of Representatives and Governor and ascertain

whether or not they had anything further to offer to the Senate for their consideration.

Mr. Barbour from the last named committee reported that neither the House of Representatives or the governor had anything for the further consideration of the Senate.

REPORT FROM THE COMMITTEE ON THE REVISION OF THE
JOURNAL.

Mr. President:

We the Committee on the Revision of the Journal have in session examined the Senate Journal for the 37th (this) day and find the same correct.

M. L. Leith, Chairman.

ADJOURNMENT.

At 10 oclock p. m., on motion of Mr. Barbour, the Senate adjourned until Tuesday, July 9, 1907, at 10 o'clock.

THIRTY-EIGHTH DAY.

Tuesday, July 9th, 1907.

The Senate met pursuant to adjournment.

PRAYER.

Prayer by Rev. Brooks Lawrence, of Birmingham.

ROLL CALL.

On a call of the roll the following Senators answered to their names:

Mr. President, and

Messrs:

Barbour	Doster	Glenn	Hamner
Bayles	Forrester	Gunn	Hayes
Blackmon	Gardner	Hamburger	Heacock

Hinson	Lusk	Overton	Strother
Horton	Merritt	Reese	Teasley
Jones	Miller	Reid	Thomas
King	Moody	Reynolds	Wilson
Leith	McWhorter	Spragins	Wimberly
Lowe			

—33.

LEAVE OF ABSENCE.

Indefinite leave of absence was granted to Messrs. White and Davis.

PRIVILEGE OF FLOOR.

Privilege of the floor was granted to Messrs. Bankhead and Taylor for today.

JOURNAL.

On motion of Mr. Miller the reading of the Journal of yesterday was dispensed with and the same was approved.

MESSAGE FROM THE GOVERNOR.

Montgomery, July 9, 1907.

To the Senate:

It becomes my painful duty to announce to the legislature the death on June 11, 1907, of the Hon. John T. Morgan, our late United States Senator. There is a vacancy in this great office and it is your duty to elect his successor.

B. B. Comer, Governor.

MESSAGE FROM THE GOVERNOR.

Montgomery, July 9, 1907.

To the Senate:

I herewith transmit for your consideration a written message to the Legislature as shown by accompanying document.

B. B. Comer, Governor.

MESSAGE OF GOVERNOR B. B. COMER.

Montgomery, July 9th, 1907.

To the Senate and House of Representatives:

I congratulate you on your safe return and resumption of your labors. It is needless to express confidence in the continued conservation and patriotism of your conduct. I congratulate you on the success of your pre-~~pleteness~~ that your provisions will authorize, will make Alabama the peer of any. Just as it is the correct policy previous session, and can assure you that the people be-
the crude material in the shape of the youth of the State, to take all of the raw material of the State and fashion it into finished and higher priced product; just as it is the correct policy to take the agricultural lands and by lieve that you have done a great work and put in propulsion factors for the upbuilding of the State; factors that will make historic this assembly.

EDUCATION.

You have laid the broadest foundation for far-reaching educational improvement; you have put in process the accomplishment of facilities which will enable the youth of the land to measure up in educational requirement with any of our sister States, and if carried to the proper treatment intensify and enlarge their production, just so you have made it the policy of the State to take the crude material in the shape of the youth of the State, and by putting on and putting in education, intensify the value of the citizenship of the State. The far-reaching importance of these acts will be more and more understood and appreciated as the generations come. Midas, it is said, turned everything that he touched into gold. The touching of the brain of the land with the comprehensive factors for earnest thought and work is vastly more important to the welfare of the State than these attributes ascribe to Midas.

TAX EQUALIZATION.

You have created a State tax commission, and by this means made possible the equalization of tax value at throughout the State. I will explain that the report from your tax commissioners is that ninety per cent of those people who pay taxes on property value sixty per cent are farmers and small holders, and that ninety per cent of those who pay on a property value of less than thirty per cent are large owners and corporations, and that the most vigorous opposition to the validity, and exercise of this law are parties who are assessing their property at one-tenth or one-twentieth of the correct value. When you fully understand that without this law there will be constant under assessing of values, making tax dodgers more and more the vogue, and more and more the danger, you will fully appreciate the importance of this law to the State. The operation of this law after a series of years, will, I think demonstrate it as one of the most far-reaching for good of the laws you have passed.

VAGRANCY.

Your vagrancy laws are commendable and are working well.

INTANGIBLE FRANCHISE TAX.

Your intangible franchise tax law in which public service corporations are required to pay taxes to the value of the franchise, a property which earns interest and which is to every intent as much property as anything else and as much subject to taxation, as much so as a cow, a horse, an acre of land or a stock of goods, in fact more so because it is a gift from the people. This value, is intangible, and yet a value you have made taxable. To illustrate; There is a corporation in Birmingham that pays on one and three quarter million dollars valuation, and they have just voted to issue bonds to the

extent of twenty-five millions on that property. But for this intangible tax you could not reach them. Again, there is a railroad in this State that I believe is earning interest on eighty thousand dollars per mile, which railroad could possibly be reproduced for thirty-five thousand dollars per mile. It is by means of this tax on intangible property that you are able to reach them and ~~have them pay a reasonable tax on that intangible value.~~ I understand that you will secure taxes on more than thirty millions from this source of taxes equaling \$195,000 this, the first year.

PROTECTION OF GAME AND FISH.

You have made a law for the protection of game and fish so that the extermination of this great property of the State will cease.

DEALING IN FUTURES.

You have made laws regulating dealing in futures; protecting, so far as you could, the State from this seductive mode of gambling, which gambling was from its very nature destructive and impoverishing to many of our citizens.

LOCAL OPTION.

You have enacted far-reaching local option laws regulating the sale of intoxicating liquors, and with your general elections and dispensary bill have brought nearer to the control of the people the sale of liquors.

INSPECTION OF JAILS.

You have established the office of Inspector of Jails, Cotton Mills and Almshouses, and thus having these institutions under State supervision, prevent abuses along this line.

ANTI-FERTILIZER TRUST.

You have appointed a committee to frame anti-fertilizer trust laws, and laws to prevent the use of worthless fillers and ingredients in the manufacture of fertilizer. When you consider that our farmers buy annually seven million dollars worth of fertilizer, then you can fully realize how important it is to enact a statute giving them full protection.

ENLARGEMENTS OF COURTS.

You have enlarged the number of your courts and provided for speedy trials, thereby preventing in a large measure the old method of filling the jails and keeping them full, and by this means either giving the prisoners their liberty or putting them to work for the State or county, and thus securing for them a speedier return to their homes and freeing the State of the expense of their keep.

MILITARY.

You have increased the efficiency of the military, and while at times it would seem that it is money uselessly spent, yet in time of need nothing could be more necessary for the safety of the State, and I, as Chief Executive, appreciate the fact that at all times they stand ready at instant call to serve the State. It is a source of greatest security and safety to know that this strong arm of the State, this splendid body of volunteers are ready to respond to duty's call at a moments notice.

OLD SOLDIERS.

You have increased the appropriation for the old soldiers to where it will amount to more than eight hundred thousand dollars per year. I think this the largest appropriation per capita of any State in the south, and

it will be a great satisfaction to the State to have made such a largely increased provision for their care; a sum inadequate at best, but it will prevent many an old fellow-countryman from suffering. It must be very satisfactory to you when you consider that you have provided nearly three million dollars for the care of the public schools and the care of the old soldiers; thus giving the very highest keep commensurate with the revenues of the State to these two extremes of our citizenship—those historic battlers for our rights, the old soldier, the generation going out; and those coming battlers for our future, the youth of the land, the generation coming in. God be with them both.

IMMIGRATION.

You have passed an immigration law authorizing the governor to appoint an immigration agent and provided the means for his compensation and his duties. Soon after this bill was passed the attorney general of the United States rendered an opinion regarding the Federal laws then in execution and the one going into effect July 1, 1907. The latter regulated immigration and limited the same and the execution of your bill, as I think, making it practically of little avail, as after the first of July the efforts of the State would be limited to simple advertisement of the resources of the State, not allowing any direct personal inducements. These duties I thought might be discharged by the commissioner of agriculture, as they practically are now under the laws governing that office. I will state that under the Act, I appointed Mr. H. R. deHoll Immigration Commissioner, and he went to Germany under the charge of the Tennessee Coal and Iron Company bringing over nearly one hundred German immigrants. These immigrants, I understand, are first class and worthy, and we are watching results with much interest. This appointment was limited to this one trip, and there is now no immigration commissioner for the State, nor has the State

so far been out any expense. I refer the matter back to you, either for instruction or for any modifications of the law that you may see proper, or repeal it. I recommend the repeal.

JAMESTOWN EXHIBIT.

Your provision for the Alabama exhibit at Jamestown came very late. I appointed commissioners and with them made an effort to get up and get out a creditable exhibit for Alabama. After making several trials, the commission decided that the appropriation came so late that it was doubtful whether we could get up a creditable exhibit, and declared the matter off, which was done.

There was some little expense attached to these preliminaries, but practically all of the appropriation is still in the treasury unexpended so that if we have not the exhibit, we have the money.

CORPORATIONS IN POLITICS.

You have made a law preventing the unlawful use of money by corporations for political purposes, and when you consider how debauching this has been in the past, and how public service corporations have used money taxed from the people to control the electorate and how many of our citizens were brought by the use of these funds under their debauching influence, you can appreciate the importance of this law.

FRANCHISE TAX.

You have an annual franchise tax on foreign corporations; you have provided a method to secure equalized values from railroads, telegraph and telephone companies, making it so that they shall pay taxes on their property in the same proportion of value that the farmer and business men pay on theirs. You have passed a law establishing a measure of damages for loss and in-

lecting same. Every shipper coming in contact with railroad or express companies will recognize at once the importance of this law. No man can calculate how many citizens of Alabama have sustained loss or injury to freight and property, amounts frequently too small to bring suit for, and yet, by arbitrary and systematic delays and contentions, have finally been beaten out of their claims.

The intent of this law was to secure the collection of this class of claims by placing the onus and cost of delay and suit where it properly belongs, and securing to the sufferer a collection of their property value without the loss of the whole.

ANTI-PASS LAW.

You have made an anti-pass law requiring that our public carriers should charge everybody alike, and destroying the bad influence of the pass system, abolishing the practice of making one class of citizens pay not only their own way, but the way of the man with the pass.

RAILROAD COMMISSION BILL.

You have established a railroad commission bill, and I call your attention to the fact that Alabama has been trying to pass this bill for twenty-seven years. This is practically the law of every advanced State, and has been used for the protection and safe-guard of the people. This law should have been enacted years ago. By the failure of the State to establish an absolute restraining power, the cupidity of the public service corporation owners, absentee landlords, all of them, have held the property and the business of the State at their own discretion and taxed at their own desire, this by the absence of a controlling power friendly to the people. Freight rates are so arranged that practically every product of the State is shipped out of the State as raw material, and every article of consumption of the State shipped into the State; a barbarous, destructive, un-

economic condition, void of all true State craft and political economy. In addition to the above, we have the highest local freight rates and most arbitrary conditions of any of our sister States.

The extent of this bill is for the railroad commission to equalize and limit the charges of our public service corporations, and to so arrange freight charges on the production of the State, between the different parts of the State, to at least secure for the manufacturers and consumers in the State an equal per mile rate for like distances to other sections; and if secured, a most important and valuable right. All of the above will give an adequate idea of the importance of this law, and unstinted credit is due you for the accomplishment of this act.

DEMURRAGE BILL.

You have passed a demurrage bill. This bill requires that the railroad companies should pay cost for inadequate service, at the same time making the shipper responsible for detention of the property of the railroad. This bill, taken almost entirely from the Virginia statutes, is not drastic, but secures both the interest of the carrier and the shipper; removes from the farmer the power of making arbitrary and one-sided rules; secures prompt service as to his property, and also secures the shipper from the danger of arbitrary and one-sided rules, and secures prompt service from the public carrier—a much needed and important law.

MAXIMUM RATE BILL.

You have passed a maximum rate bill, that is, you have made the freight rates for the State, as made and charged by the railroads themselves, the 1st of January, 1907, the maximum rate, not to be increased without process of court or special statute. The wisdom of this is shown by the fact that the day when you were passing the bill the railroads, especially the L. & N. rail-

road, by telegram changed many of their classifications and rates, increasing some as much as between two hundred to six hundred per cent.

TWO AND ONE-HALF CENT PASSENGER RATE.

You have passed a two and one-half cent passenger rate. ~~This law, taken in connection with the fact that~~ you forbade the railroads to again contribute money for the purpose of controlling elections, and also forbade the issuance of passes, making everybody pay alike, was very fair. When you take in connection with your act that Arkansas, Indiana, Virginia, Missouri, West Virginia and Ohio have a two cent passenger rate; that a federal judge, McPherson of Missouri, in a recent hearing before his court denied the application for a preliminary injunction demanded by the railroads against the putting of this two cent passenger rate, Judge McPherson stating that the measure had sufficient merit to justify the people in having a trial of it, and refusing to grant an injunction until a reasonable trial had proven its worth.

CLASSIFICATION OF FREIGHT.

You have passed an act placing 110 articles of freight of common production, consumption and use in the same classification and same rate the same articles are carried by the railroads of Georgia, and have been carried by the railroads in Georgia at this same rate for a term of years. Not only this, but the Georgia railroads have carried practically every other item and class of freight at a much lower rate than prevails in Alabama, which classes and items of freight you did not interfere with. I will state that these same 110 items of freight have a lower rate in North Carolina and Virginia than was made by you, and that the general freight lists of these states are lower.

An injunction has been issued against these three laws in the federal court at Montgomery, the railroads claiming that the execution of them would confiscate

their property and destroy them. In a similar case held in Iowa, Judge Brewer on the bench, then a federal circuit judge, now a United States supreme court judge, made the following ruling:

"The officers of the railroad company declare that the rates fixed by the commission so reduce the income that it will not suffice to pay the running expenses of the railroad and the interest on its bonded debt, leaving nothing for dividends for its stockholders. The railroad commission asserts that their schedule was formed to produce eight per cent on the value of the road, after paying cost of maintenance and running expenses. Which view is the correct one, it is impossible to decide from the evidence submitted. There is however, a conclusive way, and it seems to me it is the only one by which this controversy can be settled, and this is by experiment. It can soon be settled which is right—the railroad company's officers or the railroad commission—in their view of the effects of the commission's tariff and rates, by allowing the tariff to go into operation. Where the effect of the rates is doubtful, with the probability that they will prove compensatory, and the amount of business to be effected thereby is comparatively small, I think the courts may well wait for the test of experience. Influenced by these considerations, I am led to refuse the preliminary injunction and to set aside the restraining order heretofore entered."

It would seem that the above decision of Judge Brewer would fit the case of your statutes exactly, because, while this legislation has been called hasty and ill-advised, it is not true. It has been tried before the railroad commission several times and clearly proven that Alabama was greatly discriminated against; it became a direct component part of the State's politics and every essential of the initiative and referendum has been carried out, and at the last election, where it had been discussed for an entire year in every part of the State, the verdict confirming the State's demand was practically unanimous. In fact, this statute of yours limiting the reduction of freight to 110 items was the most moderate of the two policies and reductions advocated before the people and before the State. Nothing was ever more

fully discussed, more fully understood or so universally demanded.

COMPARISON WITH OTHER STATES.

Your action was fortified by the experience of Georgia, Carolina and Virginia, as well as other states, as in all of them where the ~~fight for equalization of rates was~~ made, a lower rate than these made by you was accomplished by them. The railroads there also claimed that it was drastic and destructive, yet the experience and the operation in those states has shown that it was neither. Referring again to the history of Iowa, because it shows that after the establishment of equalized freight rates, put in as they were by Judge Brewer against the protests of the railroads, and the railroads insistent assertion that it would confiscate and destroy them, the facts show the wisdom of Judge Brewer on refusing the injunction; the wisdom of the people in demanding these lower freight rates, because from this equalization of freight rates in that state the property of that state has largely increased; railroad building has largely increased and railroad prosperity is everywhere evident, and the experience of the trial given by Judge Brewer in not allowing the injunction has proven a great success, and no one now thinks of going back to the old method.

For further confirmation in the Iowa case I refer to President Roosevelt's recent speech in Indianapolis in which he distinctly alludes to the good results that come to the railroads and the people as an effect of the people's control of the freight rates and restriction of charges of the railroads as illustrated by the history of the people's control of the railroads in Iowa.

The railroad claimed before the Georgia authorities and the Georgia courts that it would destroy and confiscate them, yet it has proven the reverse. The same has been tried in Mississippi, Iowa, North Carolina and Virginia, and all of these states have a lower freight rate than Alabama is asking for. If it is the history of these states, and it is, that the railroads in their claim that lower rates would be confiscatory and destructive

were in error, why should so much credence be given to the same contention when it comes to making the test in Alabama. Experimental stages have passed. The discrimination against Alabama has been proven, and it is a great hardship for Alabama to be forced to go through court processes on a case already pioneered and worked out and demonstrated.

Alabama has more tonnage per railroad mile and pays a higher freight rate, and it does not cost more to operate.

VIOLATION OF SABBATH.

In addition to this we allow them to use in the regular transaction of their business, the seventh day, the Sunday of every civilized people, a day which has come down to us from Sinai as a day of rest both for men and machinery, and we have the Divine declaration that this is the best for all, that we have allowed the railroads to take this day and use it as any other day, working their employes, our fellow-countrymen, and their property to secure gain and increase business. Notwithstanding this adds sixteen and two-thirds per cent to the operative value of their property, yet with this great allowance from our sufferance, with this great concession from our fundamental law, not allowed by Georgia and North Carolina, a concession scarcely allowed any other property, still the rights and demands of the State when it comes to such an equalization of freight charges that the local shippers of the State be protected, that the freight on raw material produced in the State should be so arranged as to give the business interests of the State an equal opportunity to manufacture products of the State within the State, and also to enable the producers of the State to ship the products of the State are denied to the consumers of the State. These divine rights are of the utmost economic advantage and are unnecessarily and absolutely ignored, and the freight tax as made by the public service corporations on the business interests of the State by a combination to prevent competition amounts to a virtual absolute control of the transportation of the State, and to secure this condition for all

times, they, by their own admission, have cast around our laws and the legal processes of the State, environments forged for their interests, and practically defy our laws and refuse to give attention to our reasonable demands; refuse our laws even a fair trial and fair execution. And when you come to consider the effect of these environments they have forged and are forging around your business interests it would look as if they had confidence in your long-suffering the length of which would appear intolerable and impossible to Anglo-Saxons.

WATERED SECURITIES.

The railroads are now paying interests on millions of watered securities, much of which has recently been added to their interest-bearing charges. The L. & N. railroad is paying interest on sixty million more stock than they were a few years ago. The Southern and Central railroads have awakened millions of dormant securities and are now paying interest on them. The Coast Line has added many millions to their outstanding stock. All the railroads have vivified lifeless stuff and fructifying them with dividends, now hold them as in the hands of innocent purchasers and bound under the general generic of the cost of reproduction.

FOURTEENTH AMENDMENT.

The fourteenth amendment, forged immediately after the war in partisan wrath, to enslave the Southern whites and make the negro dominant, is now misused by corrupt corporation trusts to collect from the industries of the people a tax equal to what the traffic will stand; the last rendering and use of this amendment, more lasting, more dangerous and enslaving than the first.

COURT PROCEEDINGS.

The prospects are that the court proceedings will consume years, and the vibrations of the air word the expectations of the railroads that these great measures of

yours which carry out the just demands of the people and the just expectations of the State and which should be used to upbuild the State, will be tied up for years. Every phase of the case, long continued, thoroughly understood, merited and should have had, as laid down by Justice Brewer, through all equity, a fair trial.

Not only have the railroads enjoined this legislation, but they have gone further and demanded through the courts an injunction against the dominance of the State and the states control of any measure limiting their charges, in other words, the railroads have used all these years your laws which they admit are the most generous to them of any state through which they run, and by which they have acquired a great property build in the largest measure at the expense of the people of the State, and they now say that they are not public service corporations but independent property entirely out of your control and limitation. And that their conduct in your State is subject only to federal laws, and they ignore your laws. This, if continued and established will be destructive of the highest principles of State dominance and will be very dangerous to every property interest of the State.

EXPENSE OF LITIGATION.

I have employed, as your bill allows, attorneys of the highest character and ability who are associated with the attorney-general and are now engaged in the case. The expense of this litigation you will have to meet in the most liberal way, and it is your highest duty to have made most searching investigation, going to the very root of their business, their conduct and their methods; not in an inimical way but to secure information for your own self-protection, not only is these involved in this suit the business of the State, but also your prestige and State rights, and every citizen should feel the danger and should join in with you to secure these just demands from the public service corporations.

STATE DEPOSITORIES.

You have passed a State depository bill taking the large amount of money, more than two millions, which our State treasury had locked up and placed at work with our banks, taking securities for same in our State bonds.

I would suggest that you provide and have the people vote at the next election for an amendment to our constitution which would allow the State to let money out to the banks on the same security, but at interest. There is no reason why the State should not be benefited by this deposit. With the money thus gained, it would help in the establishment of your schools or other institutions of the State.

BIENNIAL SESSIONS.

I would suggest that you provide to have the people vote at the next election for an amendment to our constitution which will provide for biennial sessions of the Legislature. Four years is a long time between the people and the law-makers. It seems to me entirely too long to properly care for their safety and interests.

COMPULSORY EDUCATION.

You have made generous provisions for the public schools. You should put in process a propaganda to secure attendance. This expenditure is for an organization of the forces of the State for the great civic and commercial struggles of the future. If there is any parent so unnatural as not to give his child or children the advantages of the great liberality of the State, then the State itself for the benefit and welfare of the child, and the welfare of the State should conscribe enlistment and attendance.

HIGH SCHOOLS.

I would recommend that you make provision for the establishment of high schools in those counties of the State which at present have no State school; leaving the execution of same in abeyance until it is demonstrated that the funds of the State will fulfill the expense.

INCREASED APPROPRIATIONS.

You have made new annual increased appropriations of more than eleven hundred and fifty thousand dollars per year. Of this amount over one million per year or four millions for four years go to the schools and old soldiers. I would suggest that you weigh well any further increased appropriations, and if any in your judgment is necessary, make the payment contingent on whether or not the finances of the State are commensurate with same.

CHILD LABOR.

It is just and right that you should provide an effective method for enforcing the child labor law. This could easily be done by empowering the inspector of cotton mills to discharge any boy or girl from the mill who in his judgment is under age, or not in fit condition to work, at the same time providing a penalty for the punishment of the mill owner and the parent for re-employing or re-hiring such parties so discharged without first getting the permission of your inspector.

Will caution you that by an extreme provision of the law you can easily hurt the parties that we are trying to help. We have the poor with us always, and it is as much incumbent upon the business of the State to provide methods of work, and perhaps would be more beneficial to this class of our fellow citizens, than to provide ways how they should work; and we should be exceedingly careful along this line.

LOBBY BILL.

At your recent session, you failed to complete your anti-lobby bill. You have no bill on the calendar more protective of the interest of the people than this. If you will but consider that whenever you touch any large interest for taxes or otherwise, your halls swarm with lobbyists, many of them in the guise of patriots, yet most of them paid agents. When you touch the people's interests, unfortunately, there is no paid lobbyist to represent them. The protection of their interest, the protection of the best interest of the State demand at your hand an anti-lobby law.

REVENUE BILL.

Your revenue bill was ambiguous as regards the tax on money lenders and created some friction throughout the State because many construed it to mean that any person who lends money, regardless of his business, has to pay a license. The code committee, as I understand, has restored this feature to read as formerly, limiting the tax to the party whose principal business it is to lend money and who had an office for that purpose, etc.

The revenue bill improperly comprehended a special tax on any party in towns or cities who sells tobacco and cigars. This has been changed so as to embrace only, as I am sure your intent was, to stand dealers in tobacco and cigars, not those who are paying a regular ad valorem tax.

There has been quite a bit of agitation on the franchise tax on foreign corporations, including foreign money lenders. I think this law has been grossly misrepresented and misunderstood. The tax itself is exceedingly fair and liberal to the foreign lenders and directly in line of the constitution, and it is mandatory on you to impose it. This law, by misstatement, has been distorted into such shape that it has the appearance of being dangerous and ill-advised. I am sure that if this

act was fully comprehended by parties interested, it would prove in no sense of the word a deterrent to business, and the tax (about one-tenth to one-sixteenth of the amount charged on other business of a similar nature) would not be onerous on any one. In other words, where the banks of Montgomery are charged 2 1-2 per cent taxes, that is, if they are lending money at 6 per cent. by adding the entire tax it would amount to 8 1-2 per cent. The foreign lender of a million dollars pays 1 3-4 mills; or, if he were lending money at 6 per cent and the entire tax was added to the loan, it would be 6 1-6 per cent. This you will see is not onerous on foreign lenders, and brings hardship and estrangement to no one who wishes to transact business in the State. Yet the money market of the world is at present perturbed and many of our best business men are apprehensive and believe it inexpedient and untimely to introduce changed conditions, however small; and while I think the repeal of the law a bad precedent and will bring about bad results—for a sovereign State should nominate, make and maintain its own laws in its own way—yet if you think it wise to repeal the clause increasing the franchise charges on foreign money lenders, I will not oppose your action.

SUNDAY OBSERVANCES.

We have three great constitutions, the State, the Federal and the Decalogue. The oldest of these is the decalogue, and on this is built every civilization. One of the cardinal articles of that great constitution coming from Sinai, is to observe the Sabbath, yet, there is not a Sunday but what great freight trains desecrate this day in our State, and yet to the east of us stands Georgia, and North Carolina with the Sabbath preserved as a day of rest to its people. If we could but rest the machinery of our State for one day in the week, this rest given to the nervous system and energies of the great army of railroad employes, would, I have no doubt, prevent many a destructive collision and loss of life. You

need not put this in operation at once, but put it in process of accomplishment. Give these employes a day with their families and a day of respite from the intense nerve strain from train service, and we will have the experience of all time to know that he will be better by it. We could make such exceptions and preparations as would be necessary.

On your continued labors, we pray the blessings of God, the Father, and may His blessings abide with you and your work.

INTRODUCTION OF BILLS.

On a call of the districts, bills were introduced, read one time and referred to appropriate standing committees as follows:

By Mr. Hayes:

S. 385. To authorize the county of Limestone to construct public roads and to provide the method and manner of their construction and building.

Local Legislation.

With notice and proof as follows:

LEGAL NOTICE.

Notice is hereby given that the following bill will be introduced for passage in the Legislature of Alabama at the adjourned term thereof beginning July 9th, 1907:

A BILL

To be entitled, "an act to authorize the county of Limestone to construct public roads and to provide the method and manner of their construction and building."

Section 1. Be it enacted by the legislature of Alabama, the county of Limestone, by and through a road commission consisting of 5 persons to be appointed by the court of county commissioners of said county of Limestone, is hereby authorized to build and construct a system of macadamized or gravelled public roads.

Section 2. That it shall be the duty of said road commission, immediately after its appointment, to proceed to build and construct public roads in said county, beginning at the corporate line of the town of Athens, in said county, and shall build and construct the following roads:

- The road now called the Huntsville road;
- The road now called the Decatur road;
- The road now called the Lucas Ferry road;
- The road now called the Browns Ferry road;
- The road now called the Florence road;
- The road now called the Buck Island road;
- The road now called the Jones Ferry road;
- The road now called the Prospect and Athens road;
- The road now called the Lower Elkton road;
- The road now called the Upper Elkton road;
- The road now called the Fayetteville road;
- The road now called the Nick Davis road;
- The road now called the Athens and Mooresville road.

The said roads shall be built and located as herein described and the commissioners are hereby required to locate the road-beds on the most suitable ground and run the same in the most direct route that is practicable; and the said commissioners shall have the right to enter, locate, and build or cause to be built on or through the premises of any persons, after condemning the same for the use of the county, or paying therefor a reasonable compensation by agreement with the owners of such land, and when the commissioners and the owners of such lands cannot agree, then the same proceedings may be had as is now or hereafter provided by law when the line of a public road is altered or changed, or lands condemned to public use.

Section 3. That said road commissioners shall have the right to take and use in the construction and building of said roads, or cause to be taken, such quantities of stone, gravel, or other material, adjacent or contiguous thereto, or elsewhere in said county, as may be necessary, paying such reasonable compensation for the same as may be just and proper, and when said commission and owners of said material cannot agree upon the amount of the compensation, the said commissioners

are hereby authorized to take such proceedings as may be necessary, and as is now, or may hereafter be provided by law, for condemnation of said materials to public use.

Section 4. That said road commissioners shall have the right to fix the width, amount of gravel or stone or grade on any particular road; provided, said roads ~~shall be laid out at least thirty feet wide, ten feet of which shall be bedded with stone or gravel, and the~~ grade not more than one foot in ten; provided further, said commissioners may use their discretion as to grading of hills or roads up hills where such hills are particularly steep; provided further, that in the discretion of said road commissioners the above may be changed as in their judgment seem best.

Section 5. That said road commissioners so qualified shall proceed to their duties within 15 days after their selection as such. Said road commissioners shall if they deem it necessary, first proceed to have surveyed and laid off the roads mentioned herein, and for this purpose they may employ an engineer or surveyor and such other needful help as they may deem proper, to be paid for out of the fund now on hand, being the proceeds of the sale of bonds by the county of Limestone for the purpose of constructing public roads.

Section 6. That immediately after the completion of the location and surveying of said roads, or any one of said roads within their discretion, the said road commissioners shall offer so much or all of said road to the lowest responsible bidder, or so many miles of said road, not less than one nor more than twenty miles, to be built by any one contractor, who shall be required to give a good and sufficient bond, payable to the county of Limestone, in the sum of the amount of such bid, for the faithful performance of his said contract; and said bonds may be made through any lawfully authorized ~~guarantee or surety~~ company doing business in this State, and all such bonds shall have the force and effect of official bonds in this State and the same shall be approved by the said road commissioners. The said commissioners are required to give notice, by posting

notices in every precinct in said county, and by advertising in some newspaper for 30 days, that the contracts are to be made for having said roads built, requesting bids therefor and referring all bidders to the road commissioners for plans and specification for each mile thereof; if, after said time, any portion of said roads has not been bid for, the commissioners may proceed to build or have built, such portion, in such manner as, in their judgment, seems best and proper, and if any bidder whose offer to build any part of any road, is, in the judgment of said commissioners, unreasonable and too high, they may reject said bid, and proceed to build said roads as they may deem proper, by contract or otherwise, or by constructing the same according to their best judgment; provided, said road commissioners shall, at all events, construct, or cause to be constructed, said roads, and complete the same within two years from the date of their selection as such commissioners; and no commissioner selected under the provisions of this act shall become a contractor, or be interested in any wise, directly or indirectly, in a contract, to construct any part of said roads.

Section 7. That all contractors, within twenty days after acceptance of their respective contracts, shall proceed to the fulfillment thereof, and shall be required to perform the same to completion within ten months from the date of such contract: Provided, the said road commissioners may, in their discretion, extend the time of fulfillment two months to any and all contractors.

Section 8. That said commissioners selected under this act shall be entitled to compensation as follows: The president, who shall be named as such by the court of county commissioners of said county, shall receive \$3.00 per day for each day actually occupied in attending to his duties as such commissioner and president: the other four shall be entitled to \$2.50 per day each for the time actually engaged in their said work in whatsoever manner. The president shall be, and he hereby is made, the custodian of the proceeds of the sale of the \$135,000.00 of bonds issued by the county of

Limestone; and he shall pay any and all contracts made by said board and for all money coming into his hands he shall receive as compensation for handling the same one-tenth of one per cent; and the said president shall be required to give a good and sufficient bond, which may be made by some responsible guarantee or surety company now authorized to do business in this State.

in the sum of \$25,000.00, payable to the county of Limestone, and which said bond shall be conditioned, and shall have the same force and effect, as bonds of county treasurers are now and now have under the law with respect to money of counties coming into their possession; and the said president, together with the other members of said board of road commissioners, shall each execute a bond payable to the county of limestone in the sum of \$1,000.00 for the faithful performance of their duty as such road commissioners and said bonds shall have the force and effect of official bonds under the law and may be made by any responsible guarantee or surety company now authorized by law to do business in this State. The said bonds mentioned in this section shall be approved by the judge of probate of said county; provided further, the said commissioners shall receive their compensation out of the said sum realized by the sale of bonds of said county heretofore mentioned. * And the president of said board of road commissioners shall keep a complete record of all money coming into his hands, and of all the amounts disbursed by him, together with vouchers showing the amounts paid to each commissioner and the amount retained by himself and also all money otherwise disbursed by him, and he shall further show by this record all the business done as directed under the provisions of this act. The said record just mentioned shall be kept in the office of the judge of probate of said county, and shall be a public record.

Section 9. That the said road commissioners, including the president, shall be selected by the court of county commissioners within ten days after the passage of this act and their selection, together with the designation of such one as president, shall be recorded in the

minutes of the said court of county commissioners; and each member of said road commission shall be a resident citizen of the county of Limestone. Vacancies occurring in said road commission shall be filled in the same manner as the original commissioners are selected. And it is hereby made the duty of the board of road commissioners for the county of Limestone to call a meeting of said board at least once in every three months, for the purpose of transacting such business as may come before said board which may be necessary to the faithful discharge of their duties in carrying out the intent of this act. And the president and members of said board shall make a full report to the court of county commissioners of said county once every quarter, and shall settle with said court of county commissioners once every six months until said board of road commissioners have completed the work for which said board was selected.

Section 10. It shall be the duty of said road commissioners to build and construct out of the funds above mentioned herein an equal number of miles, as near as may be, upon each of the lines of roads herein-above mentioned; provided that when a road mentioned herein branches off from another road that part of the road common to both shall be considered a part of each road; and provided that the Decatur road from corporate line of Athens to the McComb's cross road shall be considered part of the Athens and Mooresville road.

Section 11. That said road commissioners, if any of said funds are left, after having constructed on each of said roads herein-above mentioned at least ten miles of road, computed according to section 10 hereof shall apply the balance of the fund which may be left to the construction of roads in other portions of the county as in their judgment and discretion will best subserve the interests of the greatest number of people of said county.

Section 12. That said road commissioners shall not meet oftener than once a month; provided they may meet oftener upon a special call of the president of said road commissioner.

Section 13. The president of said road commission shall, if possible, deposit the funds coming into his hands in such bank as will pay interest on such funds; provided that said banks are safe and solvent.

Section 14. This act shall take effect upon its approval by the Governor.

R. H. Walker being duly sworn, deposes and says that he is the ~~publisher of the Limestone Democrat~~, a newspaper published in Limestone county, Ala., and that the above bill was published in the Limestone Democrat, for four weeks beginning on the 7th day of June, and ending on the 28th day of June, 1907.

R. H. Walker.

Subscribed and sworn to on this the 6th day of July, 1907.

J. E. Clem.

Clerk of the Circuit court of Limestone Co., Ala.

By Mr. Hayes:

S. 386. To prohibit, regulate and restrict the running at large of any stock or cattle within the State of Alabama by providing for elections in the various counties or subdivision of counties of the State to determine whether the running at large of stock or cattle shall be prohibited, regulated and restricted.

Local Legislation.

By Mr. Hayes:

S. 387. To provide for the publication of the local laws enacted by the Alabama legislature in the various counties to which they apply.

Military.

By Mr. Lusk:

S. 388. To require railroads carrying passengers in this State to publish in weekly newspapers a time table showing arrival and departure of trains and connections with other railroads carrying passengers and to prescribe penalties and punishment for violation of this act.

Judiciary.

By Mr. Lusk:

S. 389. To further regulate dealing in, buying and selling and manufacturing commercial fertilizer, and to punish violation thereof.

Judiciary.

By Mr. Lusk:

S. 390. To provide for the management, control, preservation and disposition of the property of foreign corporations within the State, where said corporations forfeit their right to do business in the State by violation of the laws of Alabama or failing to comply therewith.

Judiciary.

By Mr. Heacock:

S. 391. To fix the salary of the judge of the city court of Talladega county and to provide for payment of the same.

Local Legislation.

By Mr. Heacock:

S. 392. To authorize Talladega county, Alabama, to build and construct macadam, chert and gravel public roads, and the necessary bridges, culverts and drainways therefor, and to issue bonds of said county to aid in the construction and building thereof.

Local Legislation.

With notice and proof as follows:

NOTICE.

Is hereby given that application will be made to the legislature of Alabama, at its adjourned sitting in July, 1907, for the enactment into law of a bill to be entitled: "An act to authorize Talladega county, Alabama, to build and construct, macadam, chert and gravel public roads, and the necessary bridges, culverts and drainways therefor and to issue bonds for said county to aid in the construction and building thereof."

The said proposed act in substance provides for the appointment by the governor of a road commission consisting of three resident citizens of the county one of whom shall be the president of said board or commis-

sion, which shall have charge of the building and construction of said roads, or parts of public roads to be built, changed or re-located and the character of road, whether macadam, chert or gravel shall be, at the direction of said board, and built for the best interests of the general public and not confined to any one line of road, or to any particular part of the county.

~~That for the purpose of carrying out the purposes of~~ said act, the county shall be authorized through its court of county commissioners to issue thirty year bonds, bearing interest at not exceeding 5 per cent per annum, payable semi-annually at a bank or banking house in the cities of Talladega and Birmingham, Alabama, and New York, State of New York, the issuance and sale of said bonds to be contingent on an election to be held in the county of Talladega of a majority of the qualified electors of said county, voting at said election, voting in favor of the issuance of said bonds in the amount of \$250,000.00. This said election to be held, not earlier than the latter part of the year 1908; that if, at such election, a majority of the qualified electors of said county voting thereat shall be against the issuance of said bonds, then this proposed act shall not be operative and no bonds issued. Said bonds, if issued, to be redeemable at the option of the court of county commissioners after twenty years from issuance.

The said bill further provides that the said commission or board shall employ an engineer to re-locate or change present roads and to give the grade thereof, and place the same on the best ground for permanence, ease of repair and with the best drainage. That said commission shall let contracts after due notice to the lowest responsible bidders, taking bonds from contractors to secure the faithful performance of contracts; that when no contract is bid for, or the bid is unreasonable and rejected, the commission may have the work done to the best advantage, at their discretion, no member of the commission to be a contractor or in any way interested in a road building contract.

The president of the commission shall be the custodian of the funds arising from the sale of said bonds to

the extent of \$25,000.00 only at one time, and shall give bond approved by the judge of probate in the sum of \$25,000.00 conditioned as the bond of the county treasurer and payable to Talladega county.

The president and each of the other commissioners of the said board to give bond to the amount of \$1,000.00 or payable to the county, conditioned for the faithful performance of his duties. The said commission may acquire by purchase or agreement with the owners of right of way and material such as beds of stone, chert or ground for the construction and buildings of public roads and may acquire the same by condemnation proceedings as now provided by article 1, chapter 42, of the Code of 1896, amended by act of October 1st, 1903. The bonds to be issued shall be 500 in number and for \$500.00 each to be signed and sealed by the judge of probate and countersigned by the county treasurer, and shall bear interest from the date of issue, and issued from time to time as the money may be required, to the extent of \$25,000.00.

The said bonds to have interest coupons attached, payable at the places designated in the face of said bond. The court of county commissioners may employ an agent to negotiate the sale of said bonds, and shall have the right to apply surplus revenue of said county to the purchase of said bonds in the open market and retire the same, making full record thereof.

The said court of commissioners shall annually set apart from the general revenue of said county an amount sufficient to pay the annual and semi-annual interest accruing on said bonds and at the expiration of 20 years from the issuance of said bonds, shall set apart out of the revenue of said county an amount not less than one sixth part thereof for the payment of the interest on said bonds; and any surplus thereof to the payment thereof, and the retirement of said bonds.

The said commission shall have a regular meeting once every three months, and called meetings when the exigencies require. The said commission shall keep a record of all its proceedings, taking vouchers for all

sums paid out, and make report each quarter to, and settlement every six months with the court of county commissioners.

The president shall receive \$4.00 per day, and the associates \$3.00 each per day, while in the actual discharge of their duties, as such board; and the president shall receive one-eighth of one per cent, of the monies received by him as custodian. ~~The bonds issued by the county under this act shall be exempt from taxation by Talladega county or the municipalities thereof.~~

This act shall not be construed as amending or repealing the existing road laws of Talladega county.

The State of Alabama, }
Talladega County. }

Personally appeared before me, judge of probate in and for said county, E. L. C. Ward, who being duly sworn according to law deposes and says that he is the publisher of the Talladega Reporter, a newspaper published in said county, and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for four weeks consecutively, to-wit, in the issues thereof dated as follows: June 8, 1907, June 15, 1907, June 22, 1907 and June 29, 1907.

E. L. C. Ward.

Subscribed and sworn to before me this 6th day of July, 1907.

J. E. Camp,
Judge of Probate.

By Mr. Heacock:

S. 393. To authorize an election in the county of Talladega to determine whether or not bonds in the sum of two hundred and fifty thousand dollars shall be issued by said county for the purpose of building macadam, chert and gravel public roads therein.

Local Legislation.

With notice and proof as follows:

NOTICE

Is hereby given that application will be made to the Legislature of Alabama at its adjourned sitting in July, 1907, for enactment into law of the following, viz.: A bill to be entitled an act to authorize an election in the county of Talladega, to determine whether or not bonds in the sum of two hundred and fifty thousand dollars shall be issued by said county for the purpose of building macadam, chert and gravel public roads therein.

Sec. (1) Be it enacted by the Legislature of Alabama, That in order to ascertain the will of a majority of the qualified electors of Talladega county as to whether or not bonds shall be issued by said county, in the sum of two hundred and fifty thousand dollars, for the said purpose of macadam, chert and gravel public roads in said county, it is hereby enacted, that upon the filing of a petition with the court of county commissioners of said county, not earlier than the November term, 1908, of said court, signed by not less than two hundred and fifty of the qualified electors of said county, praying for such election that the said court of county commissioners of said county shall thereupon by order entered upon the minutes of said court appoint a day not less than thirty days from the making of such order, for election to be held at the several polling places in said county, at which all the qualified electors of said county shall be entitled to vote, and shall give notice of the time and places for holding such election and the purpose thereof, by publication in some newspaper published in the county for three consecutive weeks.

Sec. (2) Be it further enacted that said election shall be conducted as near as may be provided by law for holding of general elections; the ballots to be voted to have printed thereon "for bonds" and "against bonds" in separate lines, the preference of the elector to be manifested by making a cross mark before the words "for bonds" or "against bonds" as he may determine.

Sec. (3) Be it further enacted, That the returns of said election shall be made to the sheriff of said county, and the same shall be canvassed by the judge of probate, circuit clerk and sheriff of said county, and the result certified to the court of county commissioners of said county, either at the next regular meeting, or at a meeting of said court called for that purpose, by the judge of probate.

Sec. (4) Be it further enacted, That if a majority of the votes cast at such election, shall be "against bonds" an entry to that effect shall be entered upon the minutes of said court. Should a majority of the votes cast at said election be "for bonds" then full entry of that fact, together with the petition for election, the orders of the court thereon, the returns of the election as tabulated by the board of canvassers, shall be entered of record on the minutes of the court, and such other proceedings had as may be provided by law for the issuance and sale of said bonds and the appropriation of the proceeds thereof, for the purpose set forth. Provided that this act shall be inoperative and of no effect unless a bill to be entitled "An act to authorize Talladega county, Alabama, to build and construct macadam, chert and gravel public roads and the necessary bridges, culverts and drainways therefor and to issue bonds of said county to aid in the construction thereof" shall be enacted into law.

Sec. (5) Be it further enacted, That the expenses of any election under this act shall be paid by the county of Talladega, upon the order of the court of county commissioners.

The State of Alabama, }
Talladega County. }

Personally appeared before me, J. E. Camp, judge of probate in and for said county, E. L. C. Ward, who being duly sworn according to law deposes and says that he is the publisher of the Talladega Reporter, a newspaper published in said county, and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for four weeks consec-

utively, to-wit, in the issues thereof dated as follows:
 June 8, 1907, June 15, 1907, June 22 1907, and June 29,
 1907. E. L. C. Ward.

Subscribed and sworn to before me this 6th day of
 July, 1907. J. E. Camp,
 Judge of Probate.

By Mr. Heacock:

To appropriate the sum of two thousand nine
 hundred and thirty-nine and 65-100 (\$2,939.65) dollars
 for making necessary repairs on and to the building of
 the fourth district agricultural school located at Sylau-
 cauga, Talladega county, Alabama, the main building of
 said school building being greatly in need of repairs.
 Finance and Taxation.

By Mr. Overton:

S. 395. To amend an act entitled "An act to establish
 a charter for the town of Wedowee, Randolph county,
 Alabama," approved February 8, 1901.

Local Legislation.

With notice and proof as follows:

A BILL

To be entitled an act, to amend an act entitled "An act
 to establish a charter for the town of Wedowee,
 Randolph county, Alabama."

Section 1. Be it enacted by the Legislature of Ala-
 bama, That section 2 of an act to establish a charter for
 the town of Wedowee, Randolph county, Alabama, ap-
 proved February 8, 1901, be and the same is hereby
 amended so as to read as follows: Section 2. Be it fur-
 ther enacted, That the corporate limits of said town of
 Wedowee shall embrace and include the following terri-
 tory, to-wit: Section three, and the north-half of the
 northwest quarter of the northeast quarter and the
 north half of the northeast quarter of the northwest
 quarter in section ten, all in township twenty, of range
 eleven, in Randolph county, Alabama.

The State of Alabama, }
 Randolph County. }

Personally appeared before me, John T. Kaylor, judge of probate in and for said county and State, Isaac L. Ballew, who first being duly sworn states that he is editor and proprietor of the Randolph Star, that the publication hereto attached has been regularly made once a week for four consecutive weeks in the Randolph Star, a newspaper printed and published in the town of Wedowee, State of Alabama. The first publication having been made on the 6 day of June, 1907. I. L. Ballew.

Sworn to and subscribed before me this 5 day of July, 1907.

John T. Kaylor.
 Probate Judge.

By Mr. Overton:

S. 396. To repeal an act approved December 13, 1900, entitled an act to establish, maintain and regulate a dispensary in the town of Roanoke, Randolph county, Alabama, for the sale of spirituous, vinous or malt liquors, ciders and other intoxicants and to establish a board of commissioners for the management of said dispensary and for other purposes.

Local Legislation.

With notice and proof as follows:

NOTICE.

Notice is hereby given that a bill entitled an act will be introduced at the adjourned term, July, 1907, in the Legislature of Alabama, to repeal an act approved Dec. 13th, 1900, entitled an act to establish, maintain and regulate a dispensary in the town of Roanoke, Randolph county, Alabama, for the sale of spirituous, vinous, malt liquors, cider and other intoxicants, and to establish a board of commissioners for the management of said dispensary and for other purposes.

This the 29th day of May, 1907.

The State of Alabama, }
 Randolph County. }

Personally appeared before me, in and for said county and State, O. H. Stevenson, who being sworn, states that he is the editor of the Roanoke Leader, that the publication hereto attached has been regularly made once a week for four consecutive weeks in the Roanoke Leader, a newspaper printed and published in the town of Roanoke, State of Alabama, the first publication having been made on the 5th day of June, 1907.

O. H. Stevenson.

Sworn to and subscribed to before me this 8th day of July, 1907.

J. W. Rodney,
 Notary Public.

By Mr. Overton:

S. 397. To fix the boundary line between the counties of Randolph and Cleburne and to define same.

Local Legislation.

With notice and proof as follows:

A BILL

To be entitled an act to fix the boundary line between the counties of Randolph and Cleburne and to define the same.

Section 1. Be it enacted by the Legislature of Alabama, That the boundary line between the counties of Randolph and Cleburne be and the same is hereby changed and located as follows: Beginning where the little Tallapoosa river crosses the present boundary line between section 35, township 17, range 12, in Cleburne county, and section 2, township 18, range 12, in Randolph county thence up said river to where it crosses the State line between Alabama and Georgia in section 5, township 18, range 13.

Section 2. Be it further enacted, That all that part of Cleburne county lying south of the said little Tallapoosa river and within the boundary described in section one of this act shall be and become a part of Randolph county; and that all that part of Randolph county

lying north of the said little Tallapoosa river and within the boundary described in section one of this act shall be and become a part of Cleburne county.

Section 3. Be it further enacted, That the boundary line between the counties of Randolph and Cleburne shall be and remain the same as now established except ~~of provided for in sections one and two of this act.~~

~~Section 1. Be it further enacted, That all laws and parts of laws in conflict with this act be and the same are hereby repealed.~~

The State of Alabama, }
Randolph County. }

Personally appeared before me, John T. Kaylor, judge of probate in and for said county, State of Alabama, Isaac L. Ballew, who being first duly sworn, states that he is the editor and proprietor of The Randolph Star, that the publication hereto attached has been regularly made once a week for four consecutive weeks in the Randolph Star, a newspaper printed and published in the town of Wedowee, State of Alabama, the first publication having been made on the 4th day of April, 1907.

I. L. Ballew.

Sworn to and subscribed before me this — day of —, 1907.

John T. Kaylor,

Judge of Probate of Randolph County, State of Ala.

A BILL

To be entitled an act to fix the boundary line between the counties of Randolph and Cleburne, and to define the same.

Section 1. Be it enacted by the Legislature of Alabama, That the boundary line between the counties of Randolph and Cleburne be and the same is hereby changed and located as follows: **Beginning where the little Tallapoosa river crosses the present boundary line between section 35, township 17, range 12, in Cleburne county, and section 2, township 18, range 12, in Randolph county thence up said river to where it crosses the**

State line between Alabama and Georgia in section 5, township 18, range 13.

Section 2. Be it further enacted, That all that part of Cleburne county lying south of the said little Tallapoosa river and within the boundary described in section one of this act shall be and become a part of Randolph county; and all that part of Randolph county lying north of the said little Tallapoosa river and within the boundary described in section one of this act shall be and become a part of Cleburne county.

Section 3. Be it further enacted, That the boundary line between the counties of Randolph and Cleburne shall be and remain the same as now established except of provided for in sections one and two of this act.

Section 4. Be it further enacted, That all laws and parts of laws in conflict with this act be and the same are hereby repealed.

The State of Alabama, }
Cleburne County. }

Personally appeared before me, A. E. Carruth, judge of probate in and for Cleburne county, State of Alabama, Anderson Johnson, who being first duly sworn, states that he is the editor and proprietor of the Cleburne New Era, that the publication hereto attached has been regularly made once a week for four consecutive weeks in the Cleburne New Era, a newspaper printed and published in the town of Heflin, State of Alabama, the first publication having been made on the 8th day of June, 1907.

Anderson Johnson,
Editor and Publisher.

Sworn to and subscribed before me this 3 day of July, 1907.

A. E. Carruth,
Judge of Probate of Cleburne County, State of Alabama.

By Mr. Overton :

S. 398. To further prescribe the powers of the railroad commission of Alabama and to authorize it to change any classification of railroads or of any articles of freight, or any rates or charges for the transporta-

tion of freight or passengers which have been, or which may hereafter be, prescribed by statute, or any prevailing rates or charges for such transportation which have been, or which may hereafter be, by statute made the maximum rates.

Commerce and Common Carriers.

By Mr. Overton:

~~S. 399 To amend sections 2, 3, and 4 of an act entitled "An act to regulate railroads and other common carriers in this State, to secure reasonable rates and adequate service and prevent unjust discrimination in their public service, and prescribe penalties for violation thereof," approved February 23, 1907.~~

Commerce and Common Carriers.

By Mr. Overton:

S. 400. To repeal an act approved February 13, 1897, entitled "An act to regulate the sale of spirituous, vinous and malt liquors in the corporate limits of the town of Roanoke, Randolph county, Alabama.

Local Legislation.

With notice and proof as follows:

NOTICE.

Notice is hereby given that a bill entitled an act will be introduced at the adjourned term, July, 1907, in the Legislature of Alabama, to repeal an act, approved February 13th, 1897, entitled an act to regulate the sale of spirituous, vinous and malt liquors in the corporate limits of the town of Roanoke, in Randolph county, Alabama.

This, May 29th, 1907.

The State of Alabama, }
Randolph County. }

Personally appeared before me, in and for said county and State, O. H. Stevenson, who being sworn, states that he is the editor of the Roanoke Leader, that the publication hereto attached has been regularly made once a week for four consecutive weeks in the Roanoke Leader,

a newspaper printed and published in the town of Roanoke, State of Alabama, the first publication having been made on the 5th day of June, 1907.

O. H. Stevenson.

Sworn to and subscribed to before me this 8 day of July, 1907.

J. W. Rodney,
Notary Public.

By Mr. Overton:

S. 401. For the relief of J. L. Smith, an ex-confederate soldier, being a resident of Randolph county, Alabama. Whereas, J. L. Smith has long been on the pension rolls of Randolph county, Alabama, but for the year of 1906 his name was dropped from said rolls through mistake.

Finance and Taxation.

With notice and proof as follows:

A BILL

To be entitled an act for the relief of J. L. Smith, an ex-confederate soldier, being a resident of Randolph county, Alabama, will be introduced at the July session of the Legislature. Whereas, J. L. Smith has long been on the pension rolls of Randolph county, Alabama, but for the year 1906 his name was dropped from said rolls through mistake:

Section 1. Be it enacted by the Legislature of Alabama, That the State auditor be and he is hereby authorized and required to draw his warrant on the treasury of Alabama for thirty (\$30.00) dollars for said pensioner for the year 1906, to be paid out of any balance in the pension fund of the State by the treasurer of the State of Alabama.

Section 2. Be it further enacted, That the probate judge of Randolph county, Alabama, and the other pension officers of the State are hereby required to restore the name of said pensioner, J. L. Smith, to the pension rolls.

May 13, 1907.

J. L. Smith.

The State of Alabama, }
 Randolph County. }

Personally appeared before me, John T. Kaylor, judge of probate in and for said county and State, Isaac L. Ballew, who first being duly sworn, states that he is editor and proprietor of the Randolph Star, that the publication hereto attached ~~has been regularly made once a week for four consecutive weeks in the Randolph Star, a newspaper printed and published in the town of Wedowee, State of Alabama. The first publication having been made on the 6 day of June, 1907.~~

I. L. Ballew.

Sworn and subscribed before me this 5 day of July, 1907.

John T. Kaylor,
 Probate Judge.

By Mr. Strother, for Mr. White:

S. 402. To provide for the holding of a term of the circuit court of the fifth judicial circuit of Coosa county at Goodwater, and to regulate the same.

Judiciary.

With notice and proof as follows:

NOTICE.

Notice is hereby given that a bill will be introduced in the next or adjourned session of the Legislature of Alabama, and application made for its passage, the substance of which will be as follows:

AN ACT

To provide for the holding of a term of the circuit court of the fifth judicial circuit of Coosa county, at Goodwater and to regulate the same.

Section 1. Be it enacted by the Legislature of Alabama, That there shall be held a term of the circuit court of the fifth judicial circuit, or any other circuit in which Coosa county may be placed by any past, or future act of the Legislature of Alabama, at Goodwater,

in Coosa county, commencing on the fifth Monday after the fourth Monday in February, and the fifth Monday after the fourth Monday in August of each year, and shall continue two weeks.

Section 2. Be it further enacted, That said court shall have jurisdiction to try and determine all civil causes in which the defendant, at the time of the commencement of the suit is a resident citizen of election precinct numbers three, Socapatoy; number four, Goodwater; number five, Mt. Olive, in Coosa county. Also when the defendant is a resident of Coosa county, and the cause of action arises in either of said precincts numbered three, four and five; also when the defendant is a corporation doing business in any of said precincts, and the cause of action arises, or the plaintiff resides in any of said precincts; also when the cause of action is ex delicto and the tort is commenced in either of said precincts; also of all appeals in both civil and criminal cases appealed from any of the justice courts of either of said precincts and all appeals either civil or criminal, or quasi criminal from the courts of the municipal authorities of any municipal corporation located in either of said precincts. Also of all criminal prosecutions where the offense is committed in either of said precincts and the defendant or defendants make bond where they are arrested after indictment.

Section 3. Be it further enacted, That all civil causes pending in the circuit court of Coosa county, at Rockford, in which the defendant or defendants, or where there is more than one defendant where either of the defendants reside at the time the suit was commenced, in precincts numbered three, four and five in Coosa county. And all civil causes against corporations where the cause of action originated in either of said precincts, or where the defendant or either of the defendants, resided in either of said precincts at the time suit was begun, or where the action is ex delicto and tort was committed in either of said precincts and all causes pending on the docket of the circuit court of Coosa county, appealed from any of the justice courts of any of said precincts, and all the causes in the circuit court of said

county appealed from the courts of any of the municipal authorities of any municipal corporation, located in any of said precincts; also all criminal prosecutions pending in the circuit court of Coosa county at Rockford where the defendant or defendants are under bond for his appearance at said circuit court at Rockford where the offense was committed in either of said precincts, shall be ~~transferred from the dockets of said court at Rockford~~ to the dockets of said court to be held at Goodwater, and shall stand for trial at the first term of said court.

Section 4. Be it further enacted, That where indictments are returned by any grand jury organized by the circuit court of Coosa county for any offense committed in the precincts described in section 2 of this act and the defendant or defendants on being under capias issued on such indictment where the offense was committed in either of said precincts, the bail for the defendants appearance at the next term of said circuit court at Goodwater, and shall stand for trial at the first term thereafter, and all criminal cases shall be set by the clerk for trial during the first three days of each term of said circuit court to be held at Goodwater. And when any cause either civil or criminal, is improperly placed on the docket at Rockford when it should be at Goodwater, the same shall be transferred from the dockets of the circuit court at Rockford to the dockets of the circuit court at Goodwater. And when any cause either civil or criminal, is improperly placed on the dockets of said circuit court at Goodwater, the same shall be transferred to the dockets of said circuit court at Rockford.

Section 5. Be it further enacted, That said court shall be presided over by the judge of the fifth judicial circuit, as is now provided by law in this State, so long as Coosa county continues in said circuit, and then by the judge of the circuit in which Coosa county is situated.

Sec. 6. Be it further enacted, That the clerk of the circuit court of Coosa county shall be ex officio clerk of said court, and he shall be required to procure and keep all necessary dockets and records for the use of said court; and the dockets, records and papers pertain-

ing to said court shall be kept at Goodwater. Said clerk of the circuit court of Coosa county shall keep an office at Goodwater in which the records, books and papers pertaining to said court shall be kept, and shall also, what time he is not at said office, keep a deputy clerk in said office who shall be authorized and empowered to discharge in the name of the clerk of the circuit court of Coosa county all the duties of said office pertaining to the business of said court at Goodwater. Said books, records and papers shall at all times be open for inspection by said courts and its officers. The said clerk of the circuit court of Coosa county and said deputy at Goodwater, shall do and perform all acts pertaining to said court as is now required of the clerk of the circuit court of Coosa county in reference to matters in the circuit court of said county.

Sec. 7. Be it further enacted, That the sheriff of Coosa county shall be required to keep an office in the court house at Goodwater, and keep the same open in person or by deputy for his reception and service of all instruments, and the transaction of all business that may be, or that is now, required of him by law; and shall attend upon each term of said court, and procure for the use of said court all the digests and law books owned by the county, and for the transportation of said books, the commissioners' court of said county shall issue a warrant payable to the sheriff for the amount actually expended by him for such purpose.

Sec. 8. Be it further enacted, That all summons or process issued under the provisions of this act, shall be returnable to the court of Goodwater, and so designated in said summons or process.

Sec. 9. Be it further enacted, That there shall be twenty-four jurors drawn and summoned for each term of said court, in the same manner as now prescribed by law for drawing and summoning jurors in Coosa county, from the qualified jurors who reside in precincts numbers three, four and five of Coosa county, which said jurors when so drawn and summoned, shall attend and serve upon said court under the pains and penalties now provided by law for the service of jurors upon the cir-

cuit court of Coosa county. Said jurors shall be drawn from a box as now provided by law, except that there shall be no names in the box except the names of the qualified jurors of said precincts numbered three, four and five.

Sec. 10. Be it further enacted, That the first term of said court shall be held on the fifth Monday after the ~~fourth Monday in August, 1907, and said circuit court~~ at Goodwater shall be held in the two story brick building, known as the Griel building, that has been provided for the holding of said court by the mayor and aldermen of Goodwater until at such time as the commissioners' court of said county may provide for and designate some other building within the corporate limits of the town of Goodwater, for the holding of the said circuit court at Goodwater.

Sec. 11. Be it further enacted, That before entering upon the discharge of the duties under the provisions of this act, the sheriff and clerk shall each make and execute bond in the sum of two thousand dollars, conditioned as now required by law of them for the faithful performance of their duties under the provisions of this act, provided that after the expiration of the present term of said sheriff and clerk, the bonds that are now required of them by law shall be liable for the faithful discharge of their duties under the provisions of this act, and the failure of the sheriff or clerk to make said bond with sufficient sureties and conditioned as required by this act within thirty days after this act is approved by the governor, shall work a forfeiture of their respective offices. (Signed) Many Citizens.

NOTICE.

Application will be made to the Legislature of Alabama for the passage of an act of which the foregoing is the substance, except Jordan's beat will be included with beats 3, 4, and 5 in the territory and jurisdiction of the circuit court of Goodwater.

(Signed) Many Citizens.

The State of Alabama, }
 Coosa County. }

Before me, Luelle Allen, notary public, in and for said State and county, personally appeared B. T. Riddle, who first being duly sworn by me, deposes and says on oath that he is the publisher of the Goodwater Enterprise, a weekly newspaper published at Goodwater, Alabama, said county, and that the foregoing notice was published in said Goodwater Enterprise once a week for four consecutive weeks, being published in the issues of said paper of date June 7, 1907; June 14, 1907; June 21, 1907; and June 28, 1907.

B. F. Riddle.

Luelle Allen,
 Notary Public.

By Mr. Strother, for Mr. White:

S. 403. To authorize the court of county commissioners of Clay county, Alabama, to pay, annually, on claims for public roads and bridges an amount out of the general fund of said county, not to exceed one-fifth of said general fund, levied and collected in any one year.

Municipalities and Municipal Organizations.

(No notice and proof accompanied this bill as required by the constitution.)

By Mr. Strother, for Mr. White:

S. 404. To validate claims against Clay county, Alabama, for work and labor and material or supplies furnished said county under provisions of the recent Clay county road law, which has been declared unconstitutional, and authorize the commissioners' court to audit and allow such claims as preferred claims against the general fund of said county, and direct payment of same.

Municipalities and Municipal Organizations.

(No notice and proof accompanied this bill as required by the constitution.)

By Mr. Miller:

S. 405. Making foreign corporations lending money in this State liable to a franchise tax and prescribing the amount thereof.

Finance and Taxation.

By Mr. Miller:

~~S. 406. To prohibit the sale of hop-jack, hop-tea, hop-ale, hoppen-weiss, malt tonic, or other baverages, the product of maltose or glucose, at any place where the sale of spirituous, vinous or malt liquors is prohibited by law.~~

Temperance.

By Mr. Miller:

S. 407. To vacate the dedication of the following alleys and part of a street in the Elyton Land Company's survey in the city of Birmingham, Alabama: The alley bisecting block 94 and the alley bisecting block 95 and that part of Fifteenth street lying between the north line of First avenue and the south line of Second avenue; and to provide compensation for any property owner injured thereby.

Local Legislation.

With notice and proof as follows:

The State of Alabama, }
Jefferson County. }

James J Smith being duly sworn deposes and says, that he is president of the Ledger Publishing Company, the publisher of the Birmingham Ledger, and has personal knowledge of the facts herein deposed to; and that a notice in words and figures as follows, to-wit:

NOTICE.

Notice is hereby given that at the approaching sitting of the Legislature of Alabama, a bill will be introduced and its passage asked, the substance of which will be as follows:

A bill to be entitled an act to vacate the dedication of the following alleys and part of a street in the Elyton Land Company's survey in the city of Birmingham, Ala: The alley bisecting block 94 and the alley bisecting block 95, and that part of Fifteenth street lying between the north line of First avenue and the south line of Second avenue; and to provide compensation for any property owner injured thereby.

Be it enacted by the Legislature of Alabama:

1. That there is hereby vacated, and the dedication annulled of, the following described alleys and part of a street in the Elyton Land Company's survey of the city of Birmingham, Ala., viz.: The alley bisecting block 94 and the alley bisecting block 95, and that part of Fifteenth street lying between the north line of First avenue and the south line of Second avenue; that from and after the passage of this act said alleys and said part of said street shall cease to be public thoroughfares.

2. Nothing contained in this act shall be held or construed as effecting or authorizing the taking, injury or destruction of property without compensation or without due process of law, but any property owner who may sustain any special injury by virtue of such vacation may recover all damages, which he may sustain, in an appropriate action at law brought in any court of competent jurisdiction.

3. Be it further enacted, That all laws in conflict herewith be and the same are hereby repealed.

Was published in the issues of the Birmingham Ledger, which is a newspaper published in Birmingham, in Jefferson county, Alabama, which is the county where the matters and things to be affected by the bill above referred to are situated, in the issues thereof of June 8, 1907, June 15, 1907, June 22, 1907 and June 29, 1907; and that such publication was without cost to the State.

James J. Smith.

Subscribed and sworn to before me this the 6th day of July, 1907.

D. N. Smith,
Notary Public.

By Mr. Doster:

S. 408. To reduce and fix the rate of taxation in this State.

Finance and Taxation.

By Mr. Doster:

S. 409. To amend an act entitled "An act to better provide for the revenue of the State," and approved ~~March 4, 1903, in so far as the same amends section 3911 of the Code 1896, relating to "subjects, objects and rates of taxation."~~

Finance and Taxation.

By Mr. Hinson:

S. 410. To provide compensation for the sheriff of Lowndes county and his chief deputy for attending circuit and county courts in said county.

Local Legislation.

With notice and proof as follows:

NOTICE.

Notice is hereby given that a bill to be entitled an "Act to provide a compensation for the sheriff of Lowndes county and his chief deputy, for attending circuit and county courts in said county," will be introduced at the present session of the Legislature.

The State of Alabama, }
Lowndes County. }

Before me, J. C. Wood, probate judge of said county, personally appeared Mrs. Estelle Garrett, publisher and proprietress of the Citizen-Examiner a newspaper published in said county who being by me duly sworn, deposes and saith on oath, that the foregoing notice was published in said paper once a week for four consecutive weeks, ending April 25th, 1907.

Mrs. Estelle Garrett,
Affiant.

Sworn to and subscribed before me this the 6th day of July, 1907.

J. C. Wood,
Judge of Probate.

By Mr. Hinson:

S. 411. To divide the county of Lowndes into five districts and to provide for the election of a member of the board of revenue from each district.

Local Legislation.

With notice and proof as follows:

NOTICE.

Notice is hereby given that the present Legislature will be asked to pass a bill to be entitled an act to divide the county of Lowndes into five districts and to provide for the election of a member of the board of revenue from each district.

The State of Alabama, }
Lowndes County. }

Before me, J. C. Wood, judge of probate, personally appeared Mrs. Estelle Garrett, who being by me first duly sworn says on oath that she is the proprietress of the Citizen-Examiner, a newspaper published in Lowndes county, Alabama, and that the notice herein above set out was published in said newspaper once a week for four successive weeks ending March the 7th, 1907.

Mrs. Estelle Garrett.

Subscribed and sworn to before me on this the 8th day of July, 1907.

J. C. Wood,

Judge of Probate of Lowndes County.

By Mr. Hinson:

S. 412. To provide for the compensation of the deputy solicitor of Lowndes county.

Local Legislation.

With notice and proof as follows:

NOTICE.

Notice is hereby given that application will be made to the Legislature to pass a local law for Lowndes county, providing that the deputy solicitor for Lowndes county may collect and retain for his services the fees

and commission earned by him in the county court, during the year, not to exceed seven hundred and fifty (\$750.00) dollars per annum.

AFFIDAVIT.

The State of Alabama, }

~~Lowndes County~~ }

Before me, J. C. Wood, judge of probate of said county, personally appeared Mrs. Estelle Garrett, publisher and proprietress of the Citizen-Examiner, a newspaper published in said county, who being by me duly sworn, deposes and saith on oath, that the foregoing notice was published once a week for four successive weeks, ending April 25th, 1907.

Mrs. Estelle Garrett,
Affiant.

Sworn to and subscribed before me this the 6th day of July, 1907.

J. C. Wood,
Judge of Probate.

By Mr. Reid:

S. 413. To prevent the sale, barter, exchange and giving away of spirituous, vinous or malt liquors, or intoxicating beverages of any kind, within two (2) miles of any church or house used for religious worship in the town of Sanford, in Covington county, Alabama, and to provide punishment for the violations of this act.

Temperance.

With notice and proof as follows:

NOTICE.

Notice is hereby given that application will be made to the present Legislature of Alabama, now in session, to pass a law preventing the sale, barter, exchange or giving away of spirituous, vinous or malt liquors, or intoxicating beverages of any kind, within two miles of any church or house used for religious worship in the town of Sanford, in Covington county, Alabama.

H. G. McLaney,
J. D. Henderson,
J. O. Waits.

The State of Alabama, }
 Covington County. }

Before me, J. M. Robinson, Jr., judge of probate, in and for said State and county, this day personally appeared A. Whaley, who, being duly and legally sworn, deposes and says: That he is one of the editors and proprietors of The Andalusia Times, a newspaper published at Andalusia, in Covington county, Alabama, and that the above and foregoing notice has been published once a week for four (4) consecutive weeks in said newspaper, beginning with the issue of February 13th, 1907.

A. Whaley.

Sworn to and subscribed before me this the 6th day of July, 1907.

J. M. Robinson, Jr.,
 Judge of Probate.

By Mr. Reid:

S. 414. To prevent the sale, barter, exchange and giving away of spirituous, vinous or malt liquors, or intoxicating beverages of any kind, within the territory now embraced in election precinct number nine (9), in Covington county, Alabama, except within the present corporate limits of the town of Florala, and to provide punishment for violation of this act.

Temperance.

With notice and proof as follows:

NOTICE.

Notice is hereby given that application will be made to the Legislature of Alabama, at the adjourned term of its present session, which reconvenes on the 9th day of July, 1907, to pass a law preventing the sale, barter, exchange and giving away of spirituous, vinous or malt liquors, or intoxicating beverages of any kind, within the territory now embraced in election precinct No. nine (9), in Covington county, Alabama, except within the corporate limits of the town of Florala.

The State of Alabama, }
 Covington County. }

Before me, Tif F. Plummer, a notary public in and for said State and county, this day personally appeared Edward Doty, who, being duly and legally sworn, deposes and says: That he is the editor and proprietor of The Andalusia News, a newspaper published weekly ~~at Andalusia in Covington county, Alabama, and that~~ the above and foregoing notice has been published once a week for four (4) consecutive weeks in said newspaper, beginning with the issue of June 6th, 1907.

Edward Doty.

Sworn to and subscribed before me this the 6th day of July, 1907.

Tif F. Plummer,
 Notary Public.

By Mr. Reid:

S. 415. To repeal an act entitled "An act to authorize the commissioners' court of Butler county to order elections for the establishment of districts in which stock shall be prevented from running at large."

Local Legislation.

With notice and proof as follows:

The State of Alabama, }
 Butler County. }

Before me, Thos. J. Judge, a notary public in and for said county and State, personally came Gordon Pierce, who is known to me and who being first, by me, duly sworn, doth depose and on oath say as follows, to-wit: That he is the manager of the printing department of the Greenville Advocate, a weekly newspaper published at Greenville in said county and State; that the notice, a copy of which is hereinafter set forth, was published in said county in said paper for four consecutive weeks beginning with January 16th, 1907; and that the following is a true and correct copy of said notice:

NOTICE.

Notice is hereby given that a bill will be introduced in the Legislature of Alabama, now in session, for the purpose of repealing an act entitled "An act to authorize the commissioners' court of Butler county to order elections for the establishment of districts in which stock shall be prevented from running at large," approved Feb. 17th, 1893, and which said act is found in acts of Alabama of 1-92-3 on pages 660, 661, 662, 663. This 12th day of Jan., 1907.

J. Lee Long.
Gordon Pierce.

Sworn to and subscribed before me on this 6th day of July, 1907.

Thos. J. Judge,
Notary Public.

By Mr. Reid:

S. 416. To provide for the payment of State witnesses in criminal cases in Conecuh county, Alabama.

Local Legislation.

With notice and proof as follows:

NOTICE.

Notice is hereby given of the intention to apply to the Legislature of Alabama, for the passage and enactment of a special law providing for the payment of State witnesses in criminal cases in Conecuh county, Alabama.

The State of Alabama, }
Conecuh County. }

Before me, F. J. Dean, judge of probate, in and for said State and county, personally appeared George Salter, Jr., who on oath doth say that he is editor and publisher of the Evergreen Courant, a newspaper published weekly in the town of Evergreen, county of Conecuh, State of Alabama, and that the foregoing notice has been published every week for four consecutive weeks in said newspaper prior to this date and in the year 1907.

George W. Salter, Jr.

Sworn to and subscribed before me, this the 8th day
of July, 1907.

F. J. Dean,
Judge of Probate.

By Mr. Reid:

S. 417. To regulate the fees of the sheriff for services
in the county court of Conecuh county, Alabama.

Local Legislation.

With notice and proof as follows.

NOTICE.

Notice is hereby given that a bill will be introduced
at the adjourned term of the Legislature of Alabama,
providing that the sheriff and clerk of the circuit court
of Conecuh county shall be paid for the execution of pa-
pers in the county court the same fees as are allowed
for the same services in the circuit court of said county.

The State of Alabama, }
Conecuh County. }

Before me, F. J. Dean, judge of probate, in and for
said State and county, personally appeared George W.
Salter, Jr., who on oath doth say that he is the editor
and publisher of the Evergreen Courant, a newspaper
published weekly in the town of Evergreen, county of
Conecuh, State of Alabama, and that the foregoing no-
tice has been published every week for four consecutive
weeks in said newspaper, prior to this date and in the
year 1907.

George W. Salter, Jr.

Sworn to and subscribed before me this the 8th day
of July, 1907.

F. J. Dean,
Judge of Probate.

By Mr. Reid:

S. 418. To fix the compensation to be allowed the
sheriff and clerk of the circuit court of Conecuh county,
Alabama, for all official duties for the compensation of
which no express provision is made by law.

Local Legislation.

With notice and proof as follows:

NOTICE.

Notice is hereby given that a special bill will be introduced at the present session of the Legislature of Alabama, which re-convenes in Montgomery July 8th, 1907, for the passage and enactment of a special law for Conecuh county, Alabama, to regulate the fees for services commonly known as ex officio fees for the sheriff and clerk of the circuit court of Conecuh county, and providing that the compensation of the sheriff for such services shall not exceed \$500 and that the compensation of the clerk for such services shall not exceed \$400.

The State of Alabama, }
Conecuh County. }

Before me, F. J. Dean, judge of probate in and for the county and State aforesaid, personally appeared George W. Salter, Jr., who on oath doth say that he is the editor and publisher of the Evergreen Courant, a newspaper published weekly in the town of Evergreen, county of Conecuh, State of Alabama, and that the foregoing notice has been published every week for four consecutive weeks in said newspaper prior to this date and in the year 1907.

George W. Salter, Jr.

Sworn to and subscribed before me this the 8th day of July, 1907.

F. J. Dean,
Judge of Probate.

By Mr. Reynolds:

S. 419. To amend section 1134 of the Code of 1896.
Judiciary.

By Mr. Reynolds:

S. 420. To further regulate the working of the public roads of Bibb county, Alabama.

Local Legislation.

With notice and proof as follows:

LEGAL NOTICE.

Notice is hereby given that a bill will be introduced and an application will be made for the passage of same before the Legislature of the State of Alabama when it convenes in July, 1907.

1st. To regulate the public roads of Bibb county, Alabama, and the repairing and working of same.

2nd. To provide for two road supervisors for Bibb county, and to provide for their selection and to prescribe their duties, qualifications, term of office, compensation, and penalties for failure in discharge of their duties.

3rd. To provide for the collection of the per capita road tax, and to fix the amount of same.

4th. To provide for the relocating and re-establishing of the public roads of Bibb county.

5th. To prescribe who shall be subject to road duty in Bibb county, to prescribe the length of time required to work and to fix the time for the payment of the per capita tax.

6th. To provide for the levying of the same special tax, which is two-twentieths of one percentum upon the taxable property of the county, as is now authorized by law, and to provide for the collection and disbursement of same.

7th. To provide for the working and repairing of the public roads of Bibb county, Alabama, and to prescribe who shall be in control of same, and to prescribe penalties for the failure of any person or officer to discharge his duty to the public roads, and to prescribe penalties for the violation of any provision of the road law for Bibb county.

8th. To prescribe how the names of persons subject to road duty may be procured, and to provide for the warning of men subject to road duty and all other acts incident to the working and repairing of the public roads of Bibb county.

9th. To prescribe what shall be an improper use of the public roads or bridges of the county and to prescribe penalties for the improper use of same.

9th. To authorize the commissioners' court of Bibb county to provide for working and to work the county convicts on the public roads of the county.

9 1-2. To provide for overseers or assistant supervisors and to prescribe their duties, compensation and penalties for failure to discharge their duties or enforcement of the law.

10th. To provide for a bond to be given by any person or officer collecting or having in charge or under control any of the road funds of Bibb county.

11th. To make any and all provisions necessary or incident to the working or improving of the public roads of Bibb county, Alabama, and to make any and all provision for or incident to the execution or enforcement of this proposed law.

12th. Appropriate penalties and remedies will be enacted and provided for to secure the execution and enforcement of this proposed law.

W. L. Pratt,
H. E. Reynolds,
J. T. Fuller,

Committee appointed by Good Roads Meeting June 8th, 1907.

The State of Alabama, }
Bibb County. }

Before me, R. L. Avery, clerk of the circuit court in and for said county and State, personally appeared L. H. Nunnelee, who being first duly sworn on his oath states, that he is now and has been for more than twelve months prior to this date editor and publisher of The Centerville Press, a weekly newspaper published weekly at Centerville in Bibb county, Alabama; that the above notice is a clipping from the Centerville Press, and that the above notice was published in The Centerville Press for four consecutive weeks, viz.: in the issue of the said newspaper on the 13th, 20th, and 27th days

of June, 1907, and on the 4th day of July, 1907, and that the said notice was published for four consecutive weeks in said newspaper prior to this date.

L. H. Nunnelee,
Editor and Publisher of The Centerville Press.

Sworn to and subscribed before me this 6th day of
July, 1907.

R. L. Avery,
Clerk Circuit Court Bibb County, Ala.

By Mr. Reynolds:

S. 421. To prohibit the operation of traction engines on the public roads of Bibb county, Alabama.

Local Legislation.

With notice and proof as follows:

NOTICE OF LOCAL LAWS.

Notice is hereby given that at the adjourned session of the Legislature of Alabama which meets in July next bills will be introduced as follows: Four in number.

1. Prohibiting the running of traction engines in Bibb, Alabama, on the public roads of said county.

II. Imposing a license of \$500.00 per year on each vehicle or engine operated or drawn or propelled on and along the public roads of said county of Bibb, State of Alabama, the tire or thread or wheel face of which said vehicle or engine exceeds eight inches and providing for the collection of said license.

III. Providing that where an engine or vehicle with a tire or thread or wheel face exceeding eight inches is drawn or operated or propelled on or along the public roads of said county of Bibb, State of Alabama, it shall be the duty of the county commissioners residing in the district in which said engine or vehicle is operated to make an inspection at least once each month of the public roads and bridges which have been used or traveled in his district by said engine or vehicle and to assess from the best information which he can obtain the amount of the damage done to said bridges and roads by said engine or vehicle during the thirty days next pre-

ceding his inspection, which said damages shall be due to the county of Bibb, State of Alabama, for road purposes and which damages so assessed by said commissioner shall be a lien against the said engine or vehicle and to provide for appeals from the decisions and assessment of said commissioner and for the enforcement of the lien herein named.

IIII. To regulate the operation of traction engines in Bibb county, Alabama.

Appropriate remedies and penalties will be made a part of each of said bills for the proper enforcement of same.

The State of Alabama, }
Bibb County. }

Before me, R. L. Avery, clerk of the circuit court of Bibb county, Alabama, personally appeared L. H. Nunnelee, who being by me first duly sworn says on oath that he is publisher of the Centreville Press, a newspaper published in Bibb county, Alabama, and that the above and foregoing notice attached to this paper and marked exhibit "A" was published in the Centreville Press for four consecutive weeks. That the first insertion was on the 16th day of May, 1907.

L. H. Nunnelee,
Publisher of Centreville Press.

Sworn to and subscribed before me this 8th day of July, 1907.

R. L. Avery,
Clerk of Circuit Court.

By Mr. Reynolds:

H. 422. To reduce the rates of taxation in Alabama.
Finance and Taxation.

By Mr. Reynolds:

S. 423. To prohibit the sale of pistols, revolvers, dirks, bowie knives and pistol cartridges in the State of Alabama.

Public Health.

By Mr. Reynolds:

S. 424. To require the heads of all schools in this State to make annual reports to the State superintendent of education.

Education.

By Mr. Reynolds:

S. 425. To amend section 3622, article 9 of the Code of Alabama.

Judiciary.

By Mr. Reynolds:

S. 426. To amend section 8 of an act entitled "To provide for the redistricting of the public schools of the State and for the management and control of same," approved Sept. 30, 1903.

Education.

By Mr. Reynolds:

S. 427. To prevent any person or persons from drinking intoxicating liquors in the presence of passengers on any railway passenger car, or street car in the State of Alabama.

Commerce and Common Carriers.

By Mr. Gunn:

S. 428. To prevent drinking intoxicating liquors in the presence of passengers on passenger cars.

Temperance.

By Mr. Bayles:

S. 429. To prohibit judges of probate and other persons from cancelling mortgages, deeds of trust, or other instruments of like character, conveying real estate in this State, except when thereunto duly authorized by written power of attorney of the mortgagee, or his assignee or transferee, and to require such power of attorney to be recorded in the probate office where such mortgages, deeds of trust, or other instruments of like character, are recorded, and to provide fees therefor.

Revision of Laws.

By Mr. Blackmon:

S. 430. To reduce and fix the rate of taxation in this State.

Finance and Taxation.

By Mr. Jones:

S. 431. To further prescribe the powers of courts of county commissioners and courts of like jurisdiction.

Judiciary.

By Mr. Jones:

S. 432. Providing for the more efficient working of the public roads in Wilcox county; to provide for the revenues for the same, including a vehicle license; to divide the county into five road districts; and to appoint and elect road supervisors and overseers for the same; to provide for the appointment of one civil engineer; to provide for a commutation of \$7.50 per capita in lieu of work; and such other details as may be necessary for the working of the public roads in Wilcox county.

Local Legislation.

With notice and proof as follows:

The State of Alabama, }
Wilcox County. }

Personally appeared before me, Francis M. Purifoy, a justice of the peace in and for said county, J. R. Foster, who is the publisher of the Wilcox Banner, a newspaper published at Camden, Wilcox county, Alabama, and who deposes and says that the notice attached hereto was published in the Wilcox Banner for four consecutive weeks, as required by law.

J. R. Foster.

Sworn to and subscribed before me, this 5th day of July, 1907.

Francis M. Purifoy,
Justice of the Peace.

Notice is hereby given, that a bill will be introduced in the next session of the Legislature of Alabama, providing for the more efficient working of the public roads in Wilcox county; to provide for the revenues for the same including a vehicle license; to divide the county into five districts and to appoint and elect supervisors and overseers for same; to provide for the appointment of one civil engineer, to provide for the commutation of \$7.50 per capita in lieu of work; other details as may be necessary for the working of the roads for Wilcox county.

By Mr. Thomas:

S. 433. To further define and punish and prevent frauds in the sale, removal, and concealment by tenants, or persons renting farm lands, of cotton seed and seed cotton raised on the rented premises, and upon which the landlord has a lien, and frauds in the buying and receiving by other persons of such property from such tenants.

Agriculture.

By Mr. Thomas:

S. 434. To define and punish the offense of selling or bartering by any person, and buying and receiving from such person, any corn, oats, chops, hay or other feed stuff and guano, or other fertilizers or fertilizer material, which has been furnished or advanced to such person for the purpose of enabling him to make a crop by any person, who has a claim to, lien upon, or interest in, such crop, when such selling or bartering and such buying and receiving is done without the written consent of, and with the intent to hinder, delay or defraud, such person so furnishing or advancing such property, and who has such claim to, lien upon, or interest in said crops.

Agriculture.

By Mr. Thomas:

S. 435. To confer on the governing bodies of towns and cities which own and operate dispensaries in counties where no part or the net profits of such dispensaries are divided with the counties in which they are so owned and operated, the right, power and authority to give to such counties a part of the net profits of such dispensaries, not exceeding forty per cent thereof, to be used and expended by the governing bodies of such counties in the improvement of the public roads of such county or counties.

Agriculture.

By Mr. Thomas:

S. 436. To amend an act entitled an act: Relating to the preservation; propagation and protection of the fish of Alabama, approved February the 19th, 1907, by adding to said act a new section, numbered 3 1-2.

Agriculture.

By Mr. Thomas:

S. 437. To amend section 1 of an act, entitled an act, for the relief of needy confederate soldiers and sailors, resident citizens of Alabama, and their widows, approved February the 10th, 1899.

Finance and Taxation.

By Mr. Thomas:

S. 438. To further define and punish the offense of giving and receiving bribes, and the influencing of agents, employees or servants thereby.

Agriculture.

By Mr. Gardner:

S. 439. To appropriate the sum of thirty (\$30.00) dollars for the relief of C. R. Gibson, as a confederate pensioner for the year 1906, his name having been erroneously omitted from the pension roll as being dead, and to re-instate him upon the pension roll of Pike county as a pensioner under the act for the relief of needy confederate soldiers and their widows, approved Feb. 10, 1899.

Judiciary.

With notice and proof as follows:

NOTICE.

The State of Alabama, }
Pike County. }

Notice is hereby given that a bill will be presented at the present session of the Legislature of Alabama, at the adjourned term in July, 1907, to pay to C. R. Gibson the sum of \$30.00 for the year 1906, as pensioner under the act entitled an act for the relief of needy confederate soldiers and their widows, approved February 10, 1899, his name having been erroneously left off said roll as being dead,—and to reinstate him upon the pension rolls under the statutes of the State.

The State of Alabama, }
Pike County. }

Before me, L. D. Gardner, a notary public in and for said county and State, personally appeared T. H. Brown

who being first duly sworn deposes and says: That he is the publisher and proprietor of the newspaper published in Pike county, Alabama, known as the "Troy Herald;" that the above notice as to the proposed bill to be introduced in the Legislature of Alabama in July, 1907, for the relief of C. E. Gibson, a confederate pensioner, was published in the Troy Herald, a newspaper published in Pike county, Alabama, once a week for four consecutive weeks, and that he as publisher and proprietor of said newspaper has personal knowledge of the fact that said above notice was published for four consecutive weeks in the said "Troy Herald" in letters and figures as set out above, said publication commencing on the 27th day of May, 1907, and ending on the 1st day of July, 1907.

T. H. Brown,

Publisher and Proprietor of "Troy Herald."

Sworn to and subscribed before me this the 2nd day of July, 1907.

L. D. Gardner,

Notary Public.

By Mr. Gardner:

S. 440. To appropriate the sum of thirty (\$30.00) dollars for the relief of I. Moody, as a confederate pensioner for the year 1906, his name having been erroneously omitted from the pension roll, and to re-instate him upon the pension roll of Pike county as a pensioner under the act for the relief of needy confederate soldiers and their widows, approved Feb. 10, 1899.

Judiciary.

With notice and proof as follows:

NOTICE.

The State of Alabama, }
Pike County. }

Notice is hereby given that a bill will be presented at the present session of the Legislature of Alabama, at the adjourned term in July, 1907, to pay to I. Moody the sum of \$30.00 for the year 1906, as a pensioner under the act entitled an act for the relief of needy confederate soldiers and their widows, approved February 10,

1899, his name having been erroneously left off said roll, and to reinstate him upon the pension rolls under the statutes of the State.

The State of Alabama, }
Pike County. }

Before me, L. D. Gardner, a notary public in and for said county and State, personally appeared T. H. Brown who being first duly sworn deposes and says: That he is the publisher and proprietor of the newspaper published in Pike county, Alabama, known as the "Troy Herald;" that the above notice as to the proposed bill to be introduced in the Legislature of Alabama in July, 1907, for the relief of I. Moody, a confederate pensioner, was published in the "Troy Herald," a newspaper published in Pike county, Alabama, once a week for four consecutive weeks, and that he as publisher and proprietor of said newspaper has personal knowledge of the fact that said notice was published for four consecutive weeks in the said "Troy Herald" in letters and figures as set out above, said publication commencing on the 27th day of May, 1907, and ending on the 1st day of July, 1907.

T. H. Brown,

Publisher and Proprietor "Troy Herald."

Sworn to and subscribed before me on this the 2nd day of July, 1907.

L. D. Gardner,

Notary Public.

By Mr. Merritt:

S. 441. To amend section one of an act, "To prohibit, regulate and restrict the sale or other disposition of intoxicating liquors, drinks or beverages within the State of Alabama by providing for elections in the various counties of the State to determine whether the sale or other disposition of such intoxicating liquors, drinks or beverages shall be so prohibited, regulated and restricted."

Local Legislation.

By Mr. Merritt:

S. 442. To establish a county high school for Dale county to be located at Ozark, Alabama.

Local Legislation.

By Mr. Merritt:

S. 443. To prohibit the sale or otherwise disposing of spirituous, vinous or malt liquors, intoxicating drinks, ~~bitters or beverages, in Dale county, Alabama.~~

Local Legislation.

With notice and proof as follows:

NOTICE.

Notice is hereby given that application will be made at the reconvening of the present session of the Legislature of Alabama for the passage of a local law, to become operative and effective on and from the first day of January, 1908, to prevent the sale or otherwise disposing of spirituous, vinous or malt liquors, intoxicating drinks, bitters, or beverages within Dale county, Alabama. This June 4th, 1907.

Wm. Gardner,
L. W. Kolb,
J. R. Levy,
C. L. Matthews,
O. C. Doster.

The State of Alabama, }
Dale County. }

Before me, James R. Levy, clerk of the circuit court for said State and county, personally appeared John Q. Adams, who being by me duly sworn, says, that he is the associate editor and publisher of The Southern Star, a newspaper published at Ozark, Dale county, Alabama, that said paper is published weekly, and that the printed notice hereto attached has been published in the said paper for four consecutive weeks prior to the date hereof; that the said notice was published the first time in the said paper on the 5th day of June, 1907; the second time, on June 12th, 1907; the third time, June

19th, 1907, and the fourth time, June 26th, 1907; that he has personal knowledge of the same and knows the same to be as stated herein.

Jno. Q. Adams,
Associate Editor and Publisher of The Southern Star.

Sworn to and subscribed before me, this 28 day of June, 1907.

J. R. Levy,
Clerk of the Circuit Court of Dale County, Alabama.

By Mr. Merritt:

S. 444. To appropriate a sum of money to pay for the stationery and stationery supplies used by the Legislature of Alabama during this present session.

Finance and Taxation.

By Mr. Reese:

S. 445. To fix and provide for the salary of the judge of the city court of Selma.

Revision of Laws.

With notice and proof as follows:

NOTICE.

Notice is hereby given that application will be made to the Legislature of Alabama, when it meets in July, 1907, for the passage of a law fixing the salary of the judge of the city court of Selma at \$3,250.00 per annum, and providing for the payment of \$2,750.00 thereof out of the State treasury, and the residue out of the treasury of Dallas county, Alabama, said salary to be paid monthly.

The State of Alabama, }
County of Dallas. }

Before me, H. F. Reese, a notary public in and for said county and State, personally appeared H. B. Kincey, who, being by me first duly sworn, deposes and says, that he is publisher of the Selma Mirror, a newspaper published in Selma, Dallas county, Alabama; that the notice hereto attached was published once a week for

four successive weeks in said newspaper, on the following days, to-wit: June 1, 1907; June 8, 1907; June 14, 1907; June 21, 1907.

H. B. Kinsey.

Sworn to and subscribed before me this the 6th day of July, 1907.

H. F. Reese,

N. P. Dallas Co., Ala.

~~By Mr. Reese:~~

S. 446. To provide for the contest of nominations made by political parties.

Revision of Laws.

By Mr. Reese:

S. 447. To fix and provide for the compensation of performances of ex officio services of the sheriff of Dallas county, Alabama, including the empaneling of grand juries and services in regard to elections and all other public services for which no other compensation is provided.

Revision of Laws.

With notice and proof as follows:

NOTICE.

Application will be made to the State Legislature, when it meets in July, 1907, for the passage of a bill to fix the compensation for ex-officio services of the sheriff of Dallas county at five hundred dollars, per annum, in payment for the empaneling of grand juries, advertising and performing his duties in regard to elections in his county, and for all other public services not otherwise provided for; to be paid quarterly out of the treasury of said county.

The State of Alabama, }

County of Dallas. }

Before me, H. F. Reese, a notary public, in and for said county and State, personally appeared H. B. Kinsey, who being by me first duly sworn, deposes and says that he is publisher of the Selma Mirror, a newspaper published in Selma, Dallas county, Alabama; that the

notice hereto attached was published once a week for four consecutive weeks in said newspaper, on the following days, to-wit: June 1, 1907; June 8, 1907; June 14, 1907; June 21, 1907.

H. B. Kincey,

Sworn and subscribed before me this the 6 day of June, 1907.

H. F. Reese,

Notary Public, Dallas County, Alabama.

By Mr. Reese:

S. 448. To repeal an act entitled an act "To define who are delinquent children and to provide for their arrest and care and reformation," approved March 12, 1907, in so far as it applies to Dallas county.

Revision of Laws.

With notice and proof as follows:

Notice is hereby given that application will be made to the Alabama Legislature, for the passage of a law, when it meets in July, 1907, the substance of which will be to repeal an act entitled an act to define who are delinquent children and to provide for their arrest and care and reformation, approved March 12th, 1907," so far as it applies to Dallas county.

The State of Alabama, }
County of Dallas. }

Before me, H. F. Reese, notary public in and for said county and State, personally appeared H. B. Kincey, who, being by me first duly sworn, deposes and says that he is the publisher of the Selma Mirror, a newspaper published in Selma, Dallas Co., Ala.; that the notice hereto attached was published once a week for four successive weeks in said newspaper, on the following days, to-wit: June 1, 1907; June 8, 1907; June 14, 1907; June 21, 1907.

H. B. Kincey.

Sworn to and subscribed before me this the — day of ———, 1907.

H. F. Reese,

N. P. D. Co., Ala.

By Mr. Reese:

S. 449. To require the governor to send a State examiner of public accounts or some expert accountant

to audit and examine into the accounts, and operations of all incorporated towns and cities in Dallas county operating public utilities.

Revision of Laws.

NOTICE.

Notice is hereby given that application will be made ~~to the Legislature of Alabama, when it meets in July~~ for the passage of a law providing in substance that it shall be the duty of the governor, annually at least, upon request of the mayor, to send a State examiner of public accounts or some other expert accountant to audit and examine into the accounts, operation and so forth of all incorporated towns and cities in Dallas county, operating public utilities, and to make a full and exhaustive report thereof to the mayor of said town or city, and to require such mayor to make such request.

The State of Alabama, }
County of Dallas. }

Before me, H. F. Reese, a notary public in and for said county and State, personally appeared R. E. L. Neil, who being by me first duly sworn deposes and says, that he is editor of the Selma Journal, a newspaper published in said county and State; that the notice hereinabove copied was published once a week for four consecutive and successive weeks in said newspaper, the first publication thereof being on, to-wit, the 20th day of May, 1907, and one publication thereof in each of the three weeks next thereafter.

R. E. L. Neil.

Sworn to and subscribed before me this the 7th day of July, 1907.

H. F. Reese,

Notary Public D. Co., Ala.

By Mr. Reese:

~~S. 450.~~ To refund to Selma mortgage tax paid by it on the deed of trust made by it to Chicago Title & Trust Co. to secure the Selma water works bonds.

Revision of Laws.

With notice and proof as follows:

Notice is hereby given that a bill will be introduced in the Legislature of Alabama, which meets in July, 1907, providing, in substance, for the refunding to Selma of one hundred and forty-two and 50-100 (\$142.50) dollars and seventy-one and 25-100 (\$71.25) dollars mortgage taxes received by the State of Alabama and Dallas county, respectively, on a certain deed of trust executed by Selma to Chicago Title & Trust Company to secure a bond issue of one hundred fifty thousand and 00-100 (\$150,000.00) dollars.

The State of Alabama, }
The County of Dallas. }

Personally appeared before me, John W. Lapsley, a notary public in and for said county, in said State, J. C. Adler, who being by me first duly sworn, deposes and says: That he is the publisher of the "Selma Times," a newspaper published in said county and State, and that the notice hereinabove copied was published once a week for four consecutive weeks in said newspaper, the last publication of such notice being made in said newspaper on July 7th, 1907.

J. C. Adler.

Sworn to and subscribed before me this the 8th day of July, 1907.

John W. Lapsley,

Notary Public, Dallas County, Alabama.

By Mr. Reese:

S. 451. To repeal an act entitled "An act to better provide for revenues of the State and more efficiently assess and collect taxes and for this purpose to create a commission to be known as the State tax commission of Alabama, and to prescribe powers and duties of said commission and its mode of procedure and to abolish the office of State tax commissioner," approved March 7, 1907.

Finance and Taxation.

By Mr. Reese:

S. 452. To make it unlawful to set fire to grass, straw, forest or woods, and to prescribe punishment therefor.

Revision of Laws.

By Mr. Reese:

S. 453. To exempt from taxation for ten years farm wagons with wheel tires which are at least six inches wide.

Revision of Laws.

By Mr. Reese:

S. 454. To further regulate and fix the time when persons, firms and corporations engaged in the transmission of telephone or telegraph messages in this State, for the negligent or wilful omission to transmit and deliver or to transmit or deliver any message accepted by any such persons, firms or corporations.

Revision of Laws.

By Mr. Reese:

S. 456. To encourage the lending of money upon real estate mortgages.

Revision of Laws.

By Mr. Reese:

S. 457. To confer upon mayors of cities having a population of less than 35,000 inhabitants and having no police commission the power to remove police officers other than the chief of police or head of police force.

Local Legislation.

By Mr. Reese:

S. 458. To create the office of county stenographer for Dallas county; to provide for his appointment and compensation; to prescribe his powers and duties; and to provide for the taxing and collection and disposal of stenographer's fees in the court of record of Dallas county.

With notice and proof as follows:

NOTICE.

Notice is hereby given that application will be made to the next session of the Legislature of Alabama in

July, 1907, for the passage of an act creating the office of court stenographer for Dallas county; to be appointed by the judge of the city court of Selma, to serve so long as his services are satisfactory to said judge, and to be paid a salary not exceeding twelve hundred dollars per annum by said county; to define his powers and duties, the same to include the reporting of all cases in the courts of record of said county and such other cases and perform such other duties as directed by said judge; to provide that his reports of preliminary and habeas corpus cases shall be deemed prima facie correct; provide for taxing of stenographer's fees in all cases tried in the circuit court of Dallas county and city court of Selma, and in such cases in the probate court, reported by him as follows: Capital felonies, \$5; other felonies, violation of prohibition laws and revenue laws and civil cases, \$3.00; all other cases, \$2.50 and 6 cents per hundred words for transcripts, to be taxed and collected as clerk's and other fees in such cases are now collected by law and to be paid into treasury of said county.

The State of Alabama, }
County of Dallas. }

Before me, H. F. Reese, a notary public in and for said county and State, personally appeared H. B. Kincey, who, being by me first duly sworn, deposes and says, that he is publisher of the Selma Mirror, a newspaper published in Selma, Dallas county, Alabama; that the notice hereto attached was published once a week for four successive weeks in said newspaper, on the following days, to-wit: June 8, 1907; June 14, 1907; June 21, 1907; June 28, 1907.

H. B. Kincey.

Sworn to and subscribed before me this the 6th day of July, 1907.

H. F. Reese,
N. P. Dallas Co., Ala.

By Mr. Reese:

S. 459. To fix and define the liability of persons, firms and corporations engaged in the transmission of telephone or telegraph messages in this State, for the

negligence or wilful omission or failure to transmit and deliver or to transmit or to deliver any message accepted by any such company.

Local Legislation.

By Mr. Reese:

S. 460. To prevent fire, fire marine, or marine insurance companies or associations not incorporated under the laws of this State from placing, writing, or causing to be written or placed, contracts or policies of insurance covering property located in this State or otherwise than through resident agents.

Revision of Laws.

By Mr. Reese:

S. 461. To impose a tax of one dollar each year on all dogs in the State of Alabama over four months of age, and to provide for the collection of such tax and to provide that all live stock killed or injured and all damages done thereto shall be paid for out of the dog tax fund, and to provide that the surplus left in the dog tax fund on the first day of March of each year shall be paid into the public school funds of the county in which said tax was collected.

Revision of Laws.

By Mr. Reese:

S. 462. To confer upon mayors of cities having a population of less than 35,000 inhabitants and having no police commission the power to remove police officers other than chief of police or head of police force.

Local Legislation.

By Mr. Reese:

S. 463. To authorize and empower mayor's court, police court, and recorder's court, of any incorporated city in Alabama to assess the same fines and inflict the same punishments against persons carrying concealed weapons as the circuit courts have or may have by law.

Local Legislation.

By Mr. Teasley:

S. 464. To allow all foreign corporations liable to a charter fee or annual franchise tax to deduct from their actual capital employed, or to be employed, in this State that part of such capital consisting of money

loaned secured by recorded mortgages on real estate situated in this State.

Finance and Taxation.

By Mr. Teasley:

S. 465. To receive and appropriate the moneys granted to the State of Alabama by an act of Congress approved March 4th, 1907, at 9:43 a. m. entitled "An act making appropriations for the department of agriculture for the fiscal year ending June thirtieth, nineteen hundred and eight."

Finance and Taxation.

By Mr. Teasley:

S. 466. To provide for incorporating State organizations, associations or bodies of secret societies, organizations or orders and for the protection of the corporate names thereof.

Finance and Taxation.

By Mr. Teasley:

S. 467. To prescribe rules of practice and procedure in the circuit court of Montgomery county, and to define the powers of the judge of said court in reference thereto.

Judiciary.

With notice and proof as follows:

NOTICE.

To whom it may concern:

Notice is hereby given that when the Legislature of Alabama reconvenes in July, 1907, a bill will be introduced and an effort to have it enacted into law as follows, to-wit:

Section 1. Be it enacted by the Legislature of Alabama, That in all civil cases commenced in the circuit court of Montgomery county by summons and complaint the defendant shall be required to appear and demur or plead to the complaint within thirty days after the service of the summons and complaint upon him whether such service be made in term time or vacation, and in all cases at law commenced by attachment the defendant shall appear and demur or plead within thir-

ty days after the levy of the attachment and service of notice thereof, or in case the suit is against a non-resident or other persons upon whom service may be had by publication, within thirty days after service is perfected by such publication, and in all other cases at law the defendant must appear and plead or demur ~~within thirty days after perfection of service upon him;~~ and in all cases at law, whether commenced by summons and complaint, attachment or otherwise, any defendant failing for more than thirty days after service has been perfected upon him to appear at any time thereafter, judgment by default, on motion of the plaintiff, may be rendered against him; provided, however, that the court may for good cause, allow such judgment so obtained by default to be set aside, and demurrers or pleas to be filed on such terms as the court may think just; but no application to set aside such judgment unless it be for some reversible error committed in the rendition thereof, shall be entertained by the court, unless accompanied by an affidavit by the defendant or his agent or attorney to the effect that in the belief of the affiant the defendant has a lawful defense to such suit; and provided further, that in suits brought by attachment the complaint shall be filed within ten days after perfection of service of process on defendant.

Sec. 2. That all garnishments issued from said court shall require an answer thereto within thirty days after the service thereof; and upon the failure of any garnishee to make answer within such thirty days he shall be deemed in default, and a judgment may be rendered against him upon motion of the plaintiff, if the plaintiff is otherwise entitled to such judgment nisi; and at any time after thirty days from service or notice of the rendition of the judgment nisi upon the garnishee, such judgment may be made absolute, or if notice of the rendition of such judgment nisi be returned "Not found," then a second notice thereof may immediately issue and at any time after thirty days from the service thereof, or from the same being returned "not found," the judgment may be made absolute; and unless otherwise ordered by the court all citations, rules, scire facias and

notice issuing from said court shall require the party against whom they are issued to appear and plead within thirty days after the service thereof, or, if the citations or notices are to be given by publication within thirty days after perfection of service by publication, and all cases, whether commenced by summons and complaint, to be at issue and triable upon the appearance of the defendant, and his pleading to the plaintiff's complaint, petition or other pleading; or if he does not appear within thirty days after the perfection of service upon him, at the end of such thirty days.

Sec. 3. That all original and mesne process, notices, citations and scire facias shall be executed instanter, and shall be returned immediately upon the execution thereof by the officer executing the same, and all executions, scire facias and venditioni exponas issuing from said court shall be made returnable ninety days after the issue thereof.

Sec. 4. That all civil cases brought by appeal or certiorari from justices of the peace or other inferior courts to said circuit court shall stand for trial when reached on the regular call of the docket at any time after thirty days from the service of notice of such appeal or certiorari shall have been given to the adverse party as required by law.

Sec. 5. That all cases at law in such court, whether commenced by summons and complaint, attachment or otherwise, the issues and questions of fact shall be tried by the court without the intervention of a jury, unless a jury be demanded by the plaintiff at the commencement of the suit, or by the defendant at the time he appears; or by any other person interested in such issue or question, at the time he appears; such demand must be made by the plaintiff, or party occupying the position of plaintiff, by endorsing the same in writing upon the summons and complaint, attachment, claim or paper filed by him for the purpose of instituting such suit, or when he intervenes without suing out process, upon the pleading or paper filed by him for the purpose of presenting such issue or question of fact; and by the defendant, or other party occupying the position of de-

fendant, including garnishees, by endosing such demand in writing upon the demurrer, plea, answer or other pleading filed by him; and when a cause is transferred to said court from the city court of Montgomery it shall be tried by the court without a jury, unless at the time of the application made for such transfer, a demand for trial by jury be made in writing and filed in said cause by the party at whose instance the removal is made, or unless such demand is made by the opposite party, within ten days after service of such removal; and in all civil cases, wherein the sum claimed exceeds twenty dollars, brought by appeal or certiorari from judgments of justices of the peace or other inferior tribunals, the issues and questions of fact shall be tried by the court without a jury, unless a demand for trial by jury be made in writing and filed in the cause by the party taking the appeal or certiorari, at the time he takes the same, or by the opposite party within ten days after he has been served with notice of the appeal or certiorari; and a failure to make demand for jury trial at the time and in the manner above required, shall be deemed and held a waiver of the right of trial by jury.

Sec. 6. That in the trial of any cause at law in said court, in addition to questions which may be under existing laws presented to the supreme court of the State for review, either party may by bill of exceptions, also present on appeal for review the conclusions and judgment of the court, including special findings upon the evidence, and the supreme court shall review the same without any presumption in favor of the court below, on the evidence, and in such case if they find that there is error, they shall render or reverse and remand the same for further proceedings, as the supreme court may deem right.

Sec. 7. That cases at law, both civil and criminal, that are now or may hereafter be pending in the city court of Montgomery may be by consent of the parties thereto transferred to the said circuit court, which court shall thereupon proceed and dispose of the same as if they had been originally instituted in said circuit court; and in like manner cases may be transferred

from the circuit court to the city court of Montgomery by consent of the parties thereto, and the clerk of the court from which the cause shall be so transferred shall deliver all the papers, pleadings and evidence pertaining to said cause, together with a certified transcript of all minutes entries made therein to the clerk of the court to which said cause shall be transferred, together with a bill of the costs which have accrued; which shall be collected at the time and in the manner of the collection of costs in such case in said court to which the case is transferred.

Sec. 8. That after ten days from the rendition of any judgment unless otherwise directed in said judgment, the clerk of said circuit court shall issue execution returnable as hereinbefore provided; provided, however, that nothing herein contained shall prevent any person from having execution issued within said ten days upon making affidavit, as now provided by law in relation to the issue of executions upon judgments in the circuit courts, and provided further, that nothing herein contained shall prevent the superceding of executions after the issue thereof, upon filing bonds as now required by law.

Sec. 9. That all bills of exceptions relating to the trial of civil and criminal causes in said court must be signed by the presiding judge of said court within thirty days after the day on which the issue or issues of fact to which said bill of exceptions relates, was tried, unless the time for signing such bill of exceptions is extended by agreement of parties or of their counsel, or by order of the presiding judge as now authorized by law respecting the signing of bills of exceptions in the circuit courts.

Sec. 10. That final judgments rendered in said court shall after the expiration of thirty days from their rendition, be taken and deemed as completely beyond the control of the court as if the term of said court at which the said judgment was rendered had ended at the end of the said thirty days; provided, however, that nothing herein contained shall prevent parties from applying for new trials or rehearing within said thirty

days or destroy or change the effect of motions for new trials or rehearings, when so made, or shall prevent parties from applying to said court for a rehearing under the statute authorizing applications for rehearing in the circuit court or shall prevent the court from retrying any cause under sections 3341 and 3342 of the Code of Alabama, or shall prevent the court from the exercise of any power or jurisdiction conferred upon the circuit courts touching final judgments.

Sec. 11. That all witnesses in attendance upon said court must prove their attendance within five days after the termination of the trial of the cause in which they were subpoenaed or called to testify, and unless they can prove their attendance within that time their fee shall not be taxed as cost, nor shall they be recoverable against either party.

Sec. 12. That the judge of said circuit court shall have the power to make and adopt such other rules of practice and procedure as in his opinion may be required by a proper system of circuit court practice and to amend the same as may be expedient, such rules to be entered of record upon the minutes of said court, and the same may be changed, amended or annulled by the supreme court of this State.

Sec. 13. That none of the provisions of this act shall invalidate any of the proceedings had or acts already done in cases now pending in said circuit court.

Sec. 14. That all laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

May 24, 1907.

David Johnston.

The State of Alabama, }
Montgomery County. }

Before me, W. B. Davidson, a notary public in and for said county in said State, personally appeared Ben deLemas, who being by me first duly sworn on oath, says, that he is editor and publisher of the "Alabama Outlook," a newspaper published in said county; that the foregoing notice has been published at least once a

week for four (4) consecutive weeks, in said newspaper; that such publication was completed Saturday, June 15th, 1907. Ben deLemos.

Sworn to and subscribed before me on this 25 day of June, 1907. W. B. Davidson,

Notary Public, Montgomery County, Ala.

By Mr. Hamburger:

S. 468. To regulate and establish the rate of transportation for school children on street railway systems in Alabama.

Commerce and Common Carriers.

By Mr. Hamburger:

S. 469. To punish persons having the care or custody of children having negro blood in them who permit or suffer said children to be admitted into the public schools of the State of Alabama, set apart for children who are not negroes.

Military.

By Mr. Hamburger:

S. 470. To provide for equal but separate accommodations for the white and negro races on street railway systems in the State of Alabama.

Commerce and Common Carriers.

By Mr. Hamburger:

S. 471. To amend section one of an act, approved December 7th, 1896, entitled an act to amend section 1 of an act entitled an act to protect the fish in Deer river, East Fowl river, West Fowl river, Little river, and the tributaries of these streams in Mobile county, approved February 18th, 1895.

Fish, Game and Forestry Preservation.

With notice and proof as follows:

NOTICE.

Notice is hereby given of the intention to apply to the Legislature of Alabama, at its adjourned session, com-

mencing on the day of July 8th, 1907, for the passage of a law making it unlawful for any person to use, for the purpose of catching fish in Little river, Mobile county, and the tributaries thereof, or within three hundred feet of the mouth thereof, any seine, gill net or tresmire net, or net of like kind, excepting, however, nets known as cast nets, and to make the violation thereof a misdemeanor, said law to be incorporated as an amendment to an act approved December 7th, 1896, for the protection of fish in Deer river, East Fowl river, West Fowl river, and Bayou La Batre.

Mobile, May 2, 1907.

D. T. McLean.

The State of Alabama, }
Mobile County. }

Before me, Jno. E. Mitchell, a notary public in and for Mobile county, Alabama, personally appeared Thomas B. Allman, who being first duly sworn, says that he is cashier of the Daily Herald, a newspaper published in the city of Mobile, Alabama; that the above notice was published once a week, for four consecutive weeks, in said Daily Herald, on to-wit, May 2nd, 9th, 16th, 23rd 1907.

Thomas B. Allman.

Subscribed and sworn to before me this 27th day of June, 1907.

Jno. E. Mitchell,

Notary Public, Mobile County, Alabama.

By Mr. Hamburger:

S. 472. To amend section two (2) of an act entitled "An act to amend an act entitled an act to create the office of revenue constable for Mobile county, and to prescribe his duties;" approved Feb. 24th, 1887.

Local Legislation.

With notice and proof as follows:

The State of Alabama, }
Mobile County. }

Personally appeared before me, J. E. McHugh, a notary public in and for said State and county, Thomas B. Allman, who on oath deposes and says that he is the

cashier of the Mobile Daily Herald; that the said Mobile Daily Herald is a newspaper published in the city and county of Mobile, Alabama, and that the following notice was published therein once a week for four consecutive weeks, as required by section 106 of the constitution.

Thomas B. Allman,
Cashier.

NOTICE.

Is hereby given of the intention to apply to the Legislature of Alabama for the passage of a local law, amending an act entitled "An act to amend an act entitled an act to create the office of revenue constable for Mobile county and to prescribe his duties," approved February 24, 1887.

By striking out the words "one hundred" where the same occurs in section two (2) and inserting "one hundred and twenty-five" in lieu thereof.

Subscribed and sworn to before me this 21st day of June, A. D., 1907. J. E. McHugh,
(SEAL) Notary Public, Mobile County, Ala.

By Mr. Hamburger:

S. 473. To provide for an official short-hand reporter for the thirteenth judicial circuit; to prescribe the qualifications, term of office and duties of such reporter, and to fix his compensation and fees.

Local Legislation.

With notice and proof as follows:

The State of Alabama, }
Washington County. }

Personally appeared before me, S. Earl McGlathery, a notary public in and for the State and county aforesaid, W. A. Moseley, who on oath deposes and says that he is the publisher of the Washington News; that the Washington News is a newspaper published regularly in the county of Washington, Alabama, and that the subjoined notice was published in said newspaper once

a week for four consecutive weeks, as required by section 106 of the constitution; that is to say:

Notice is hereby given of the intention to apply to the Legislature of Alabama for the passage of a local or special law, the substance of the same being to provide an official shorthand reporter for the entire thirteenth circuit; to prescribe the qualifications, oath and term of office of such reporter; to provide for attendance and taking of official stenographic notes of oral proceedings in cases tried at the various terms of the circuit courts in said circuit and the furnishing of a certified type-written transcript of such stenographic notes to any party applying for the same upon the payment of legal fees; to provide for the preservation of the stenographic notes, and to defray the expenses of attendance as compensation a monthly salary to be paid as follows: Thirty-five dollars per month for the county of Washington; thirty-five dollars per month for the county of Baldwin; one hundred and twenty-five dollars per month for the county of Mobile; the same to be paid by such county on the first day of each month after the approval of the law.

W. A. Moseley.

Subscribed and sworn to before me, this 1st day of July, 1907.

S. Eary McGlathery,

Notary Public, in and for Washington County, Ala.

The State of Alabama, }
Mobile County. }

Personally appeared before me, S. H. Smith, clerk of the circuit court of Mobile county, Thomas B. Allman, who on oath says that he is the cashier of the Herald Publishing Co., that the Mobile Daily Herald is a newspaper published in the city and county of Mobile, State of Alabama, and that the following notice was published in said newspaper once a week for four consecutive weeks, viz.:

NOTICE

Is hereby given of the intention to apply to the Legislature of Alabama for the passage of a local or special

law, the substance of the same being to provide an official shorthand reporter for the entire thirteenth circuit; to prescribe the qualifications, oath and term of office of such reporter; to provide for attendance and taking of official stenographic notes of oral proceedings in cases tried at the various terms of the circuit courts in said circuit and the furnishing of a certified type-written transcript of such stenographic notes to any party applying for the same upon the payment of legal fees; to provide for the preservation of the stenographic notes, and to defray the expenses of attendance as compensation a monthly salary to be paid as follows: Thirty-five dollars per month by the county of Washington; thirty-five dollars per month by the county of Baldwin; and one hundred and twenty-five dollars per month by the county of Mobile, the same to be paid by said counties on the first day of each month after the approval of the law.

Thomas B. Allman.

Subscribed and sworn to before me this 26th day of June, 1907.
S. H. Smith,
Clerk of the Circuit Court of Mobile County, Alabama.

The State of Alabama, }
Baldwin County. }

Personally appeared before me, Leslie Hall, a notary public in and for the State and county aforesaid, W. C. Dinwiddie, who on oath deposes and says that he is the publisher of "The Baldwin Times", that said Baldwin Times is a newspaper regularly published in Baldwin county, Alabama, and that the subjoined notice was published in said newspaper once a week for four consecutive weeks as required by section 106 of the constitution of Alabama, that is to say: May 16, 1907; May 23, 1907; May 30, 1907, and June 6, 1907:

NOTICE

Is hereby given of the intention to apply to the Legislature of Alabama for the passage of a local or special law the substance of the same being to provide an offi-

cial shorthand reporter for the entire thirteenth circuit; to prescribe the qualifications, oath and term of office of such reporter; to provide for attendance and taking of official stenographic notes of oral proceedings in cases tried at the various terms of the circuit court in said circuit and the furnishing of a certified type-written transcript of such stenographic notes; and to defray the expenses of attendance as compensation a monthly salary to be paid as follows: Thirty-five dollars per month by the county of Washington; thirty-five dollars per month by the county of Baldwin; and one hundred and twenty-five dollars per month to be paid by the county of Mobile, the same to be paid by said counties on the first day of each month after the approval of the law. W. C. Dinwiddie.

Subscribed and sworn to before me this 3rd day of July, 1907.

Leslie Hall,
Notary Public, Baldwin County, Alabama.

By Mr. Hamburger:

S. 474. To fix and provide for the salary of the chancellor of the southwestern chancery division of the State of Alabama.

Finance and Taxation.

With notice and proof as follows:

NOTICE.

Notice is hereby given that application will be made at the present Legislature of Alabama, which will meet in July, 1907, for the passage of an act substantially as follows:

A BILL

To be entitled an act to fix and provide for the salary of the chancellor of the southwestern chancery division of the State of Alabama.

Section 1. Be it enacted by the Legislature of Alabama, That the salary of the chancellor of the south-

western chancery division of the State of Alabama, be, and it is hereby fixed at the sum of four thousand dollars per annum, and that he shall be paid out of the State treasury the same sum as is now or shall hereafter be authorized by law to be paid to other chancellors out of the State treasury, and such sum out of the treasury of Mobile county, Alabama, as will when added to the amount paid out of the State treasury equal to the salary of said chancellor as fixed by this act.

Thomas H. Smith.

The State of Alabama, }
Mobile County. }

Before me, Charles L. Bromberg, a notary public in and for said State and county, personally appeared Thomas B. Allman, who is known to me, and who after being by me first duly sworn on oath says, that he is the cashier of "The Daily Herald," a newspaper regularly published in Mobile, Mobile county, Alabama.

Affiant further says, that the foregoing notice hereto attached and hereby referred to as a part of this affidavit, was published in "The Daily Herald," once a week for four (4) consecutive weeks in the issues of said newspaper published on the following dates, viz.: May 16th, May 23rd, May 30th, and June 6th, 1907.

Thomas B. Allman.

Sworn to and subscribed before me this 5th day of July, A. D., 1907.

Chas. L. Bromberg,

Notary Public, Mobile County, Alabama.

By Mr. Hamburger:

S. 475. To fix and provide for the salary of the judge of the thirteenth judicial circuit of Alabama.

Finance and Taxation.

With notice and proof as follows:

NOTICE.

Notice is hereby given that application will be made at the present Legislature of Alabama, which will meet in July, 1907, for the passage of an act substantially as follows:

A BILL

To be entitled an act, to fix and provide for the salary of judge of the thirteenth judicial circuit of Alabama.

Section 1. Be it enacted by the Legislature of Alabama, That the salary of the judge of the thirteenth judicial circuit of Alabama, ~~be, and it is hereby fixed at the sum of four thousand dollars per annum and that he shall be paid out of the State treasury the same sum as is now or shall hereafter be authorized by law to be paid to other circuit judges out of the State treasury, and such sum out of the treasury of Mobile county, Alabama, as will when added to the amount paid out of the State treasury equal to the salary of said judge as fixed by this act.~~

Samuel B. Browne.

The State of Alabama, }
Mobile County. }

Before me, Charles L. Bromberg, a notary public in and for said State and county, personally appeared Thomas B. Allman, who is known to me, and who after being by me first duly sworn on oath says that he is the cashier of "The Daily Herald," a newspaper regularly published in Mobile, Mobile county, Alabama.

Affiant further says, that the foregoing notice hereto attached and hereby referred to as a part of this affidavit, was published in "The Daily Herald," once a week for four (4) consecutive weeks in the issues of said newspaper published on the following dates, viz.: May 16th, May 23rd, May 30th, and June 6th, 1907.

Thos. B. Allman.

Sworn to and subscribed before me this 5th day of July, A. D., 1907.

Chas. L. Bromberg,

Notary Public, Mobile County, Alabama.

By Mr. Hamburger:

S. 476. To amend section 3 of an act entitled "An act to protect and regulate the time and manner of catching and taking fish from and in the waters of the

State of Alabama, in the counties of Mobile and Baldwin," approved February 9, 1897.

Game and Fish Preservation.

With notice and proof as follows:

NOTICE.

Pursuant to constitutional requirement notice is hereby given that a bill will be introduced at the present session of the Legislature of Alabama for the purpose of amending section 3 of an act entitled "An act to protect and regulate the time and manner of catching and taking fish from and in the waters of the State of Alabama, in the counties of Mobile and Baldwin," approved February 9th, 1891, which said section 3 reads as follows:

"Sec. 3. Be it further enacted, That it shall be unlawful for any person to sell, or offer for sale any fish between the fifteenth day of March and the fifteenth day of June of each year; provided, that the provisions of this section shall not apply to salt fish nor salt water fish."

It is intended by the bill to be introduced at the present session to amend said section 3 so as to make it read as follows:

"Sec. 3. Be it further enacted, That it shall be unlawful for any person to sell, or offer for sale any fish between the fifteenth day of March and the fifteenth day of June of each year; provided, that the provisions of this section shall not apply to salt fish nor salt water fish, nor to cat fish, nor to fish of any kind or species caught with hook and line, nor to fish caught outside of the boundaries of the State of Alabama."

The State of Alabama, }
Baldwin County. }

Personally appeared before me, W. D. Stapleton, a notary public, in and for said Baldwin county, State of Alabama, W. C. Dinwiddie, who, being by me duly sworn, deposes and says on oath that he is the business manager of The Baldwin Times; that the said The

Baldwin Times is a newspaper published in the town of Bay Minette, Baldwin county, Alabama; and, affiant further says on oath that the following printed notice pasted to this affidavit was published once a week for four consecutive weeks in the said The Baldwin Times, that the fourth publication of said four consecutive publications of said notice was made in the said The Baldwin Times on June 20th, 1907.

W. C. Dinwiddie,
Business Manager, The Baldwin Times.

Subscribed and sworn to before me this 29th day of June, 1907.

W. D. Stapleton,
Notary Public, Baldwin County, Alabama.

NOTICE.

Pursuant to constitutional requirement notice is hereby given that a bill will be introduced at the present session of the Legislature of Alabama for the purpose of amending section 3 of an act entitled "An act to protect and regulate the time and manner of catching and taking fish from and in the waters of the State of Alabama, in the counties of Mobile and Baldwin," approved February 9th, 1891, which said section 3 reads as follows:

"Sec. 3. Be it further enacted, That it shall be unlawful for any person to sell, or offer for sale any fish between the fifteenth day of March and the fifteenth day of June of each year; provided, that the provisions of this section shall not apply to salt fish nor salt water fish."

It is intended by the bill to be introduced at the present session to amend said section 3 so as to make it read as follows:

"Sec. 3. Be it further enacted, That it shall be unlawful for any person to sell, or offer for sale any fish between the fifteenth day of March and the fifteenth day of June of each year; provided, that the provisions of this section shall not apply to salt fish nor salt water fish, nor to cat fish, nor to fish of any kind or species

caught with hook and line, nor to fish caught outside of the boundaries of the State of Alabama."

The State of Alabama, }
Mobile County. }

Personally appeared before me, Joseph H. Lyons, a notary public, in and for said Mobile county, State of Alabama, Thos. B. Allman, who, being by me duly sworn, deposes and says on oath that he is the manager of the circulating department of The Mobile Daily Herald; that the said The Mobile Daily Herald is a newspaper published in the city of Mobile, Mobile county, Alabama; and, affiant further says on oath that the following printed notice pasted to this affidavit was published once a week for four consecutive weeks in the said The Mobile Daily Herald, that the fourth publication of said four consecutive publications of said notice was made in the said The Mobile Daily Herald on June 6th, 1907.

Thos. B. Allman,
Manager Circulating Department, The Mobile Daily Herald.

Subscribed and sworn to before me this 7th day of June, 1907.

Joseph H. Lyons,
Notary Public, Mobile County, Alabama.

By Mr. Hamburger:

S. 477. To provide for the compensation of the solicitor for Mobile county, to be elected in 1910 and his successors in office.

Local Legislation.

With notice and proof as follows:

NOTICE.

Notice is hereby given of intention to apply to the Legislature of Alabama at its present session when it reconvenes in July, 1907, for the passage of the following bill, viz.:

A BILL

To be entitled an act to provide for the compensation of the solicitor for Mobile county, to be elected in 1910, and his successors in office.

Section 1. Be it enacted by the Legislature of Alabama, That the solicitor for Mobile county to be elected in 1910, and his successors in office, shall receive as compensation for the performance of the duties of said office a salary of five thousand dollars a year, payable in equal monthly installments out of the treasury of said county.

The State of Alabama, }
Mobile County. }

Before me, James H. Webb, a notary public in and for the State and county aforesaid, personally appeared J. F. Carter, Jr., who being by me first duly sworn says, that he is managing editor for the Daily Herald, a newspaper published in the city and county of Mobile, State of Alabama, and that the following notice was published in said paper once a week for four successive weeks during the month of June, 1907, on, to-wit, the 7th, 14th, 21st, and 28th of said month:

NOTICE.

Notice is hereby given of intention to apply to the Legislature of Alabama at its present session when it reconvenes in July, 1907, for the passage of the following bill, viz.:

A BILL

To be entitled an act to provide for the compensation of the solicitor for Mobile county to be elected in 1910 and his successors in office.

Section 1. Be it enacted by the Legislature of Alabama, That the solicitor for Mobile county to be elected in 1910, and his successors in office, shall receive as compensation for the performance of the duties of said

office a salary of five thousand dollars a year, payable in equal monthly installments out of the treasury of said county.

The original of said notice cut from said paper is pasted hereon.

J. F. Carter, Jr.

Subscribed and sworn to before me on this the 8th day of July, 1907.

J. H. Webb,

A Notary Public in and for Mobile County, Alabama.

By Mr. Hamburger:

S. 478. To provide for the election of a harbor master and three deputy harbor masters and to regulate their duties and provide for their compensation.

Local Legislation.

With notice and proof as follows:

NOTICE.

Notice is hereby given that application will be made to the present session of the Legislature of Alabama to pass an act or acts amendatory of the existing laws in relation to the harbor master and deputy harbor master of the port of Mobile, their appointment, duties and compensation; to the extent of prescribing for the election of three or more deputy harbor masters, not exceeding four; or further defining the duties of harbor master and deputy harbor masters, and prescribing the hours during which they shall severally perform the duties of their office and providing for the compensation for the said harbor master and deputy harbor masters by the imposition of the same fees as are imposed on vessels for superintendence of the shifting or mooring of the same and the distribution of these fees among the said harbor master and deputy harbor masters.

The State of Alabama, }

Mobile County. }

Personally appeared before me, C. H. Castello, a notary public in and for said State and county, Thomas B. Allman, who on oath deposes and says that he is the cashier of the Herald Publishing Company; that said company publishes the Mobile Daily Herald, which is

a newspaper published in the city and county of Mobile; that the subjoined advertisement was published in said newspaper once each week for four consecutive weeks, as required by section 106 of the constitution, that is to say.

Thomas B. Allman.

Subscribed and sworn to before me this 12th day of
~~July, A. D., 1907~~

C. H. Castello,

Notary Public, Mobile Co., Ala.

By Mr. Hamburger:

S. 479. To provide for the more efficient working of the public roads in Mobile county, and certain streets and public thoroughfares in the city of Mobile; provide for the control, working, building, maintenance and improvement of the same by the board of revenue and road commissioners of Mobile county, to prescribe the duties and fix the authority of said board, provide for the levy and collection of a road tax, and the method of disbursing moneys necessary to carry out the provisions of this act, and provide penalties for violations of its provisions.

Local Legislation.

With notice and proof as follows:

Notice is hereby given of the intention to apply to the Legislature of Alabama for the passage of a local or special law, the substance of the proposed law being to provide for the control, working, maintenance, building and improving the public roads in Mobile county, as well as certain roads or thoroughfares within the city of Mobile, and to provide a road tax, to be paid by persons not exempt under the general laws from road duty, the collection and disbursement thereof and a penalty for any failure to comply with the provisions of the law.

In substance, the proposed law will place the entire subject matter in the charge and control of the board of revenue and road commissioners of Mobile county, who elect a road superintendent; to provide that the

superintendent shall, under the direction of the board, oversee and direct all work on every road embraced in the county, and those in the city provided for; the board to fix the compensation of the superintendent; to authorize the board to appropriate such moneys out of the county treasury as may be necessary for the proper working, maintenance and improvement of the said roads; to make all persons liable to road duty, except those exempt under the general laws, providing, however, for a release from such liability upon the payment of not more than three dollars road tax, and fixing a penalty for failure to pay.

To provide for the collection of the road tax; the making of lists in each precinct of persons liable to road duty, and requiring payment of the tax to the nearest justice of the peace or the county treasurer, numbered receipts issued by the county treasurer to be given for each payment; the deposit of same with the county treasurer and commissions of justice of the peace; the county treasurer shall audit the receipt books issued by him, keep an accurate account and deposit the revenue in a separate fund known as "road tax;" the board to fix his compensation; to require all corporations or firms, employing two or more persons, to furnish the county treasurer with the names of such, and fixing a penalty for failure to do so.

To provide where persons who do not pay the road tax may be worked on the roads; to permit the working all or any part of said roads by contract, but all contracts over \$50 must be advertised for at least ten days and awarded to the lowest bidder, provided any or all bids may be rejected; to authorize the employment of such labor, the purchase of such property, wagons and outfits as may be necessary to carry on the work; to require the majority of the board of county commissioners to visit together every road in the county of Mobile at least three times a year, and make affidavit to that effect, and a penalty for failure so to visit the roads; to require the superintendent to keep detailed accounts of all work, and a map showing where all work is done; and as compensation the members of the board of reve-

nue and road commissioners for the services hereby required of them they shall be entitled to and receive one thousand dollars per annum, payable monthly.

The State of Alabama, }
Mobile County. }

Before me, the undersigned authority, personally appeared M. P. Dowling, who is known to me and who being first duly sworn, does depose and say: I am the book-keeper for The Mobile Daily Item; I have personal knowledge that the foregoing notice marked "Exhibit A" was published in The Mobile Daily Item, a newspaper published in the city and county of Mobile, Alabama, once a week for four consecutive weeks, to-wit, on June 4, June 11, June 18, and June 25, 1907.

M. P. Dowling.

Subscribed and sworn to before me this 12th day of July 1907.

Chas. M. Stokes,

Notary Public, Mobile County, Ala.

By Mr. Hamburger:

S. 480. To establish the law and equity court of Mobile.

Local Legislation.

NOTICE.

Notice is hereby given that application will be made to the Legislature of Alabama to enact the following into law:

A BILL

To be entitled an act to establish the law and equity court of Mobile.

Section 1. Be it enacted by the Legislature of Alabama, That there is hereby established in and for the county of Mobile a law and equity court of record, which shall be called the law and equity court of Mobile, and which court shall have and exercise all the jurisdiction, original and appellate, and all powers, which are now or may hereafter be, by law, conferred

upon the several circuit and chancery courts of the State, except said court shall not have jurisdiction to try criminal cases. When exercising the powers and jurisdiction of courts of equity, it shall conform to the rules of procedure and practice in the chancery courts of this State, and when exercising the powers and jurisdiction of courts of law, it shall conform to the rules of procedure and practice of circuit courts of this State, except where rules of procedure are changed by this act. Provided, that the presiding judge of said court shall have power to make and adopt such rules of practice as may be required by a proper system of practice for said court, and to amend the same as may be expedient. Said rules shall be recorded upon the minutes of said court.

Section 2. Be it further enacted, That a judge for said court shall be elected by the Legislature, whose term of office shall continue until the general election of 1910, after which time said judge shall be elective by the qualified voters of Mobile county. At the general election for State officers in November, 1910, the successor of the judge so elected by the Legislature, shall be elected by the qualified voters of Mobile county; said judge so elected shall hold office until the next general election for circuit judges and chancellors, at which time and every six years thereafter, the judge of said court shall be elected by the qualified voters of Mobile county as circuit judges and chancellors are elected. Such judge shall have and exercise all the jurisdiction and powers which are now or hereafter may be lawfully exercised by judges of the circuit court or chancellors of this State, including authority to issue all writs which are now or may hereafter be lawfully issued by judges of the circuit court or chancellors of this State.

Section 3. Be it further enacted, That the clerk of the circuit court of Mobile county shall be ex officio the clerk of said law and equity court of Mobile on the law side of said court and shall have all the powers and be liable to perform all the duties and shall be subject to all the penalties in such court as in like cases in the cir-

cuit court, now or hereafter provided by law, and shall be entitled to the same fees as in like cases in the circuit court now or hereafter allowed by general law.

Section 4. Be it further enacted, That the register in chancery of the chancery court of Mobile county shall be ex officio the register of said court on the equity side of said court and shall have all the powers and be liable to perform all the duties and be subject to all the penalties in such court as in like cases in the chancery court now or hereafter provided by law, and said register shall be entitled to the same fees as in like cases in the chancery court now or hereafter allowed by general law.

Section 5. Be it further enacted, That said clerk of the circuit court and said register in chancery, as ex officio clerk and register respectively, shall each appoint a deputy especially for said law and equity court, provided the same person may be both deputy-register and deputy-clerk for said law and equity court. All of the acts of such deputy shall be performed in the name of such register or clerk. Said deputy-register and said deputy-clerk shall possess all the powers and authority, both ministerial and judicial, now or hereafter possessed by such clerk and register respectively. Said deputy-register shall be paid a salary of \$62.50 per month, and said deputy-clerk shall be paid a salary of \$62.50 per month, which shall be paid monthly out of the treasury of Mobile county; in the event the same person is both deputy-register and deputy-clerk, he shall receive both said salaries.

Section 6. Be it further enacted, That in the event that either the clerk of the circuit court or the register in chancery at Mobile be put upon a salary, the judge of said law and equity court shall appoint a clerk of said court who shall be called clerk and register and thereupon be clerk of the law side, and register of the equity side of said court and hold his office until his successor shall have been elected at the general election held in 1910 and duly qualified. Immediately upon his qualification the ex officio service of the clerk of the circuit court and register in chancery shall cease. There-

after said clerk of said law and equity court shall be elected in like manner and at the same time as clerks of circuit courts. Said clerk shall give bond in the sum of ten thousand (\$10,000.00) dollars with surety to be approved by the judge of said court and filed with the probate judge of Mobile county; said bond may be increased at any time upon the order of the presiding judge of said court. Said clerk on the law side of said court shall have all the powers and authority, ministerial and judicial, now or hereafter vested in the clerks of circuit courts, and on the equity side of said court he shall have all the powers and authority, both ministerial and judicial, now or hereafter vested in registers in chancery. And in such event the clerk of said court shall receive a salary of three thousand (\$3,000.00) dollars per annum, payable in monthly installments out of the treasury of Mobile county. Said clerk may appoint a deputy, whose appointment shall be entered on the minutes of said court and who shall be vested with all the powers and authority of said clerk, and whose acts shall be performed in the name of said clerk, and for whose acts said clerk and the sureties on his bond shall be responsible. The compensation of said deputy shall be fixed by the board of revenue and road commissioners of Mobile county and paid in monthly installments out of the Mobile county treasury. The same fees shall be taxed in causes on the law side of said court as are allowed by general laws to clerks of circuit courts, and in causes on the equity side the same fees as are allowed by general law to registers in chancery. Said fees shall be collected by the said clerk and by him turned in to the treasury of Mobile county.

Section 7. Be it further enacted, That said court shall have one term per year, beginning on the first Monday of October and lasting until and including the 31st day of July next following. The presiding judge of said court may adjourn said court for as long a time during the term as to him seems proper. The absence of the presiding judge for any length of time shall not cause a lapse of the term, but the clerk or the register, or both together, may adjourn said court, or the judge

thereof may by written order transmitted to and filed with said clerk or register, order said court adjourned until any time he or they think proper. No term shall, for any cause, be adjourned sine die until the time for ending thereof fixed by law. Said presiding judge may reconvene said court for the transaction of any business, at any time, by consent of the parties, before the time ~~fixed by previous order of adjournment.~~ Provided, that the first term of said court shall begin as soon as said court can be organized. Should the judge of said court, by reason of sickness or other disability, or cause, be absent from said court, the governor shall have power to appoint a judge pro tem until the regular judge's return, or for such limited time as the governor may fix; during which time said judge pro tem shall have all the power and authority of the regular judge. The clerk shall certify to the auditor the number of days attendance of said judge pro tem, and the State auditor shall draw his warrant on the State treasury on favor of said judge pro tem for ten (\$10.00) dollars for each day's attendance so certified.

Section 8. Be it further enacted, That said court shall be held at a place to be provided from time to time in the city of Mobile, by the board of revenue and road commissioners of Mobile county. Said board of revenue and road commissioners shall also provide such stationery, books and furniture and facilities as may be necessary for the proper transaction of the business of said court.

Section 9. Be it further enacted, That said court shall adopt a seal therefor, the form of which shall be entered upon the minutes of said court; said seal may be made in duplicate so that each side of said court may be provided therewith.

Section 10. Be it further enacted, That the jury commissioners of Mobile county shall provide a special box of names from which jurors for said law and equity court are to be drawn, which shall be replenished by said commissioners from time to time; in the absence thereof said names shall be drawn from any circuit or

city court jury box. Juries for the trial of jury cases shall be drawn in open court by the clerk when ordered by the presiding judge, in the same manner now or hereafter provided by law for drawing of jurors in the Mobile circuit court. The jurors shall receive the same compensation as jurors serving in the circuit court, payable out of the Mobile county treasury in like manner.

Section 11. Be it further enacted, That it shall be lawful for causes to be transferred by consent of all parties thereto, or their counsel of record, from the chancery court of Mobile, or from the circuit court of Mobile, to said law and equity court, or from said law and equity court to the chancery court of Mobile, or to the circuit court of Mobile; consent of all parties or their counsel of record to be put in writing, and filed in both courts. When suits are by or against minors or insane persons, said consent may be executed by their guardians, next friend of guardians ad litem. In the event of such transfer from one court to another, the clerk or register shall transmit the original file of papers to said court to which the same is transferred, and said cause shall stand for further proceedings therein as if originally brought in the court to which the same is so transferred, and in such event no final record of said cause shall be made in the court from which the same is so transferred.

Section 12 . Be it further enacted, That in all cases commenced in said court by summons and complaint or bill in equity, the defendant shall be required to appear and demur, answer or plead to the complaint or bill within thirty days after the service of the summons upon him, whether such service be in term time or vacation; and in all cases at law commenced by attachment, if the cause of action is due, the complaint must be filed in ten days after the issuance of the attachment, and the defendant shall appear and demur or plead within thirty days after the levy of attachment and service of notice thereof, or in case the suit is against a non-resident or other person upon whom service may be had by publication, within thirty days after service is

perfected by such publication; if the cause of action is not due, complaint must be filed in three days after it becomes due, and the defendant must plead or demur in three days thereafter, but no judgment by default, in any case, shall be entered until five days after the complaint has been filed; and in all cases the defendant ~~must appear and plead or demur within thirty days after perfection of such service upon him; and in all~~ cases, whether commenced by summons and complaint, attachment, bill or otherwise, the defendant failing, for more than the time hereinabove provided to appear and demur, or plead, or answer, shall be held to be in default, and at any time thereafter judgment by default, or decree pro confesso, on motion of the plaintiff, may be rendered against him; provided, however, that the court may, for good cause shown, allow such judgment so obtained by default, or decree pro confesso, to be set aside; and demurrers, pleas or answer to be filed on such terms as the court may think just; but no application to set aside such judgment or decree unless it be for some reversible error committed in the rendition thereof, shall be entertained by the court, unless accompanied by an affidavit by the defendant or his agent or attorney to the effect that in the belief of the affiant the defendant has a lawful defense to such suit.

Section 13. Be it further enacted, That all garnishments issued from said court shall require an answer thereto within thirty days after the service thereof; and upon a failure of any garnishee to make answer within thirty days he shall be deemed in default and a judgment nisi may be rendered against him upon motion of the plaintiff if the plaintiff is otherwise entitled to such judgment nisi, and unless otherwise ordered by the court, all citations, rules, writs or scire facias and notices issuing from said court shall require the party **against** whom they are issued to appear and plead or answer within thirty days **after** the service thereof, and if the citations or notices are to be given by publication within thirty days after the perfection of service by publication; and all cases, whether commenced by summons and complaint, attachment, bill or otherwise,

shall be deemed to be triable upon the appearance of the defendant and his pleading, or if he does not appear within thirty days after the publication of service upon him, at the end of such thirty days. All contests of answers of garnishees shall be filed within thirty days after the filing of such answer; and unless the time therefor be extended by the court, the right to contest shall be thereafter waived.

Section 14. Be it further enacted, That every Monday of the term may be the return day for any and all process in said court, both mesne and final; provided, however, that mesne or final process may issue in any cause on application of parties causing such issuance to any return day not exceeding six months after the date of issuance. That all regular and mesne process, notices, citations, and writs of scire facias, shall be executed instanter, and unless otherwise provided by law shall be returned immediately upon the execution thereof by the officer executing the same.

Section 15. Be it further enacted, That all cases brought by appeal or certiorari from justices of the peace or other inferior courts to said court, shall stand for trial at any time after ten days notice of the taking of such appeal shall have been given to the adverse party, as required by law.

Section 16. Be it further enacted, That in all cases at law tried in said court, whether commenced by summons and complaint, attachment or otherwise, the issues and questions of fact shall be tried by the court without the intervention of a jury, unless a jury be demanded by the plaintiff at the commencement of the suit, or by the defendant at the time he appears, or by any person interested in such issue or question at the time he appears; such demand must be made by the plaintiff or party occupying the position of plaintiff, by endorsing the same in writing upon the summons and complaint, attachment, petition, claim or other paper filed by him for the purpose of instituting such suit, or when he intervenes without suing out process, upon the pleadings or paper filed by him for the purpose of pre-

senting such issue or question of fact; and by the defendant or other party occupying the position of defendant, including garnishees, by endorsing such demand in writing upon the demurrer, plea, answer or other pleading filed by him; and when a cause is transferred to said court from the circuit court it shall be tried by the court without a jury unless at the time of ~~agreement made for such transfer a demand for a trial by jury be made in writing and filed in said cause; and~~ in all cases brought by appeal or certiorari from judgments of justices of the peace or other inferior tribunals, the issues and questions of fact shall be tried by the court without a jury, unless a demand for trial by jury be made in writing and filed in the cause by the party taking the appeal at the time he takes the same, or by the opposite party within ten days after he has been served with notice of the appeal; provided, that the judge of said court may order any cause or issue of fact, which by law may be tried by jury, to be so tried by jury.

Section 17. Be it further enacted, That in the trial of any cause at law by said court, without a jury, in addition to the questions which may be, under existing laws, presented to the supreme court of the State for review, either party may by bill of exceptions, also present on appeal for review, the conclusions and judgment of the court upon the evidence, and the supreme court shall review the same without any presumption in favor of the court below on the evidence; and in such case, if they find that there is an error, they shall render such judgment in the cause as the court below should have rendered, or reverse and remand the same, for further proceedings as to the supreme court shall seem right.

Section 18. Be it further enacted, That appeals or writs of certiorari may be taken to said court hereby established from the judgment of justices of the peace or other inferior courts in the county of Mobile in all civil cases in which appeals or writs of certiorari may by law be taken from such judgments to the circuit court of said county, and in the same manner.

Section 19. Be it further enacted, That the supreme court of this State shall have appellate and supervisory jurisdiction over said court and the judge thereof, which may be exercised in the same manner and in the same cases as such jurisdiction may be exercised over the circuit or chancery court or the judges thereof; and appeals may be taken from judgments, orders and decrees of said court to the supreme court in the same manner, within the same time, and in the same cases as appeals are taken from judgments, orders or decrees of the circuit or chancery court to the supreme court.

Section 20. Be it further enacted, That after ten days from the rendition of any judgment or final decree, unless otherwise directed in said judgment or decree, the clerk or register of said court shall issue execution, returnable as hereinbefore provided; provided, however, that nothing herein contained shall prevent any person from having execution issued within said ten days, upon making affidavit as now provided by law, in relation to the issue of execution upon judgments in the circuit court; and provided further, that nothing contained herein shall prevent the superseding of execution after the issue thereof upon giving supersedeas bond as now required by law.

Section 21. Be it further enacted, That all laws of a general nature now in force or that may hereafter be enacted giving or extending jurisdiction to the circuit and chancery courts, shall be held to extend and apply to said court, although the said court may not be mentioned therein, unless the contrary be expressly provided and unless they are contrary to the provisions of this act.

Section 22. Be it further enacted, That all bills of exception relating to the trial of causes or issues in said court, must be signed by the judge who presides at such trial within thirty days after the day on which was tried the issue or issues of fact to which said bill of exceptions relate, unless the time for signing such bill of exceptions is extended by agreement of parties or by order of said judge as now or may be authorized by law, respecting the signing of bills of exceptions in the

circuit court; such extended time shall not extend beyond six months from the date of such trial.

Section 23. Be it further enacted, That final judgments and decrees in said court shall, after the expiration of thirty days from their rendition, be taken and deemed as completely beyond the control of the court, as if the term of said court at which said judgments or decrees are rendered, ~~had ended at the end of said thirty~~ days; provided, however, that nothing herein contained shall prevent parties from applying for a new trial or rehearing within said thirty days, or destroy or change the effect of motions for new trials or rehearings when so made, or shall prevent parties from applying to said court for a rehearing under the statute authorizing applications for rehearing in the circuit court, or shall prevent the court from retrying any cause under section 3341 of the Code of Alabama, or shall prevent the court from exercising any power or jurisdiction conferred upon the circuit court touching final judgments or upon the chancery court touching final decrees.

Section 24. Be it further enacted, That all the witnesses in attendance upon said court must prove their attendance within five days after the termination of the trial of the cause in which they were subpoenaed or called to testify, and unless they prove their attendance within that time, their fee shall not be taxed as costs, nor shall the same be recoverable against either party.

Section 25. Be it further enacted, That the venue in any cause in said court may be changed to other county than Mobile county under the same rules and regulations that govern changes of venue in the circuit courts of the State.

Section 26. Be it further enacted, That the sheriff of said county shall be in person or by deputy required to attend said court, preserve order, and execute and return its process, and perform such other duties, in all respects, as in the circuit and chancery courts of this State, and he shall furnish all subordinate officers that may be necessary to expedite the business of said court the same as he is now required to do under the law governing him as officer of the circuit and chancery courts

of this State; the fees of such officers of said court for services rendered, and the compensation of jurors and witnesses therein shall be the same as are or may be allowed for like services in the circuit and chancery courts of this State.

Section 27. Be it further enacted, That the judge of said court hereby established shall be paid in the same manner out of the State treasury the same salary paid to the chancellors. He shall also be paid monthly out of the treasury of Mobile county such additional sum as will when added to the salary paid by the State, make the salary of such judge \$4,500.00 a year.

Section 28. Be it further enacted, That it shall be the duty of the official court stenographer of Mobile county to attend either in person or by assistant upon said law and equity court whenever required thereto by the presiding judge, and to take stenographic notes of the testimony introduced in trials therein. Whenever his attendance is required at the same time or times in either the city, circuit or probate courts of Mobile, he shall have the right and power to attend in the law and equity court by an assistant qualified and selected as provided by law for such assistant in the circuit or city court of Mobile, for whose services said official stenographer shall be entitled to be paid ten (\$10.00) dollars per day for each day's attendance of said assistant, said compensation for said assistant, if any, to be paid monthly out of the treasury of Mobile county, upon the certificate or order of the clerk of said court, approved by the presiding judge thereof. Said stenographer shall also make typewritten transcripts of said stenographic notes, or any part thereof, on application of any person or persons, for which transcripts he shall receive from such applicant or applicants the same fees fixed by law for like transcripts in the circuit court of Mobile.

Section 29. Be it further enacted, That all laws and parts of laws in conflict with this act be, and the same are hereby repealed.

The State of Alabama, }
 Mobile County. }

Personally appeared before me, R. T. Ervin, a notary public in and for said State and county, Thomas B. Allman, who being duly sworn, says on oath, that he is the cashier of the Mobile Daily Herald, a newspaper published in Mobile, Alabama; that the attached notice was published in the said Mobile Daily Herald on February 18th and 25th, March 4th and 11th, 1907.

Thomas B. Allman.

Subscribed and sworn to before me this 5th day of July, 1907. R. T. Ervin,

Notary Public, Mobile County, Alabama.

The State of Alabama, }
 Mobile County. }

Personally appeared before me, R. T. Ervin, a notary public, in and for said State and county, Thomas B. Allman, who being duly sworn, says on oath, that he is the cashier of the Mobile Daily Herald, a newspaper published in Mobile, Alabama; that the attached notice was published in the said Mobile Daily Herald on May 30th, June 6th, 13th and 20th, 1907.

Thomas B. Allman.

Subscribed and sworn to before me this 5th day of July, 1907. R. T. Ervin,

Notary Public, Mobile County, Alabama.

NOTICE

Is hereby given of the intention to apply to the Legislature of Alabama for the passage of a local or special law creating a court of record for Mobile county, to be known as the law and equity court of Mobile; to fix the jurisdiction of said court; to provide for the time and place for holding the sessions thereof; to provide the method of selecting a judge and other officers for said court, and to fix their powers, duties and compensations; to provide for the pleadings and practice therein

and appeals to and from said court, and for the transfer of cases to and from said court; to prescribe the powers of the judge of said court; and to provide for the issuance and return of all mesne and final process from and to said court.

By Mr. Reese:

S. 481. To provide for the contingent expenses of the attorney-general.

Finance and Taxation.

By Mr. Leith:

S. 482. To regulate the practice in the circuit court of Walker county, Alabama; to provide rules of practice for said court and to provide for drawing juries for said court.

Local Legislation.

With notice and proof as follows:

NOTICE.

There will be introduced at the adjourned session of the legislature of Alabama, which convenes July 9th, 1907, a bill substantially as follows:

A BILL

To be entitled an act to regulate the practice in the Circuit court of Walker county, Alabama, to provide rules of practice for said court; and to provide for drawing juries for said court.

Section 1. Be it enacted by the Legislature of Alabama, That in all civil cases commenced in said court by summons and complaint the defendant shall be required to appear and demur or plead to the complaint within thirty days after the service of the summons and complaint upon him, whether such service be in term time or vacation; and in all cases at law commenced by attachment, the defendant shall appear and demur or

plead within thirty days after the levy of attachment and service of notice thereof, or in case the suit is against a non-resident or other person upon whom service may be had by publication, within thirty days after service is perfected by such publication; and in all cases at law the defendant must appear or plead and demur within thirty days after perfection of such services upon him; and in all cases at law whether commenced by summons and complaint, attachment or otherwise, the defendant failing, for more than thirty days after service has been perfected upon him, to appear and demur or plead shall be held to be in default, and at any time thereafter judgment by default, on motion of the plaintiff may be rendered against him; provided, however, that the court may, for good cause shown, allow such judgment so obtained by default, to be set aside, and demurrers or pleas to be filed on such terms as the court may think just; but no application to set aside such judgment unless it be for some reversible error committed in the rendition thereof, shall be entertained by the court unless accompanied by an affidavit by the defendant, or his agent or attorney, to the effect that in the belief of the affiant the defendant has a lawful defense to such suit.

Section 2. That all garnishments issued from said court shall require an answer thereto within thirty days after the service thereof; and upon a failure of any garnishee to make answer within thirty days he shall be deemed in default and a judgment nisi may be rendered against him upon motion of the plaintiff if the plaintiff is otherwise entitled to such judgment nisi, and unless otherwise ordered by the court, all citations, rules, writs of scire facias and notices issuing from said court shall require the party against whom they are issued to appear and plead within thirty days after the service thereof; if the citations or notices are to be given by publication, within thirty days after the perfection of service by publication; and all cases whether commenced by summons and complaint, attachment or otherwise shall be deemed and taken to be at issue and triable upon the appearance of the defendant and his pleading,

or if he does not appear within thirty days after the perfection of service upon him at the end of such thirty days.

Section 3. That all original and mesne process, notices, citations and writs of scire facias, shall be executed instanter, and, unless otherwise provided by law, shall be returnable immediately upon the execution thereof by the officer executing the same, and all executions, writs of scire facias, and writs of venditi ni exponas, issuing from said court shall be made returnable ninety days after the issue thereof.

Section 4. That all cases brought by appeal or certiorari from justices of the peace or inferior courts to said court, shall stand for trial when reached on the regular call of the docket at any time after thirty days notice of the taking of such appeal shall have been given to the adverse party, as required by law.

Section 5. That all bills of exception relating to the trial of causes, civil and criminal in said court, must be signed by the presiding judge of said court within 30 days after the day on which the issue or issues of fact to which said bill of exceptions relates was tried, unless the time for signing such bill of exceptions is extended by agreement of parties or by order of the presiding judge as now authorized by law, respecting the signing of bills of exceptions in the circuit court.

Section 6. That final judgments and decrees rendered in said court shall, after the expiration of thirty days from their rendition, be taken and deemed as completely beyond the control of the court, as if the term of said court at which said judgments and decrees are rendered, ended at the end of said thirty days; Provided, however, that nothing herein contained shall prevent parties from applying for a new trial or rehearing within said thirty days, destroy or change the effect of motions for new trials or rehearings when so made, or shall prevent parties from applying to said court for a rehearing under the statute authorizing application for rehearing in the circuit court, or shall prevent the court from retrying any cause under section 4341 of the Code of Alabama, or shall prevent the court from the exercise of any

power or jurisdiction conferred upon the circuit court touching final decrees and judgment.

Section 7. That all the witnesses in attendance upon said court must prove their attendance within five days after the termination of the trial of the cause in which they were subpoenaed or called to testify, and unless they prove their attendance within that time, their fee shall not be taxed as costs, ~~nor shall they be recoverable against either party.~~

Section 8. That after ten days from the rendition of any judgment or decree unless otherwise directed in said judgment, the clerk or register of said court shall issue execution, returnable, as hereinbefore provided; Provided, however, that nothing herein contained shall prevent any person from having execution issued within ten days, upon making affidavit as now provided by law, in relation to the issue of execution upon judgments in the criminal court; and provided further, that nothing herein contained shall prevent the superseding of execution after the issue thereof upon filing affidavit as now required by law.

Section 9. On the next day after the adjournment of the last regular term of the court of county commissioners or session of the board of revenue held in each year, or as soon thereafter as practicable, the commissioners must proceed to draw from the jury box a grand jury for two regular terms of the circuit court to be held for the next ensuing year at such time as may be prescribed by the judge of said court not less than fifteen nor more than twenty-one persons for each grand jury, to be composed of persons duly qualified to serve as grand jurors; and next, the names of the requisite number of persons to serve as petit jurors for each term of circuit court, allowing not more than thirty-six nor less than thirty persons for each week of the terms prescribed by law, during which, in the opinion of the judge of the court, a jury shall be required; and the juries for each week shall be drawn separately and successively, and every piece of paper on which is written the name of the person so drawn must be destroyed. The judge, in writing,

shall prescribe the number of week's for which petit jurors shall be drawn.

Section 10. That whenever for any cause, a jury, grand or petit, shall be quashed by the court, shall fail to have been drawn or summoned, or if drawn and summoned shall fail to attend, or if, for any other cause, there should be no grand or petit jury in attendance on said court, the court may forthwith order the sheriff to summon from the qualified citizens of Walker county a jury or juries to serve for the time specified or ordered by the court; and such jury so summoned shall be competent and valid to try all causes pending in said court and perform all other duties as if such jury were regularly drawn and summoned for said court.

Section 11. The court may, by rules, prescribe the time in which the pleadings in causes may be settled.

Section 12. The judge of said court shall have power to make and adopt such rules of practice as may, in his judgment, be required by a proper system of practice for said court; to amend same as may appear expedient; and said rules shall be entered upon record or the minutes of the court.

Section 13. That all laws and parts of laws in conflict with this act be, and the same are hereby repealed. Approved October 1, 1903.

The State of Alabama, }
Walker County. }

Before me, R. T. Knight, a justice of the peace in and for said county, this day personally came James R. Gunter, editor of the Mountain Eagle, and known to me to be such editor of said newspaper, which newspaper is published in the town of Jasper in the county of Walker in the State of Alabama, who, being by me first duly sworn, deposes and says, that the attached notice and bill entitled an act to regulate the practice in the Circuit court of Walker county, Alabama, to provide rules of practice for said court, and to provide for drawing juries for said court. Was published once a week for four consecutive weeks in said newspaper, called the Moun-

tain Eagle, in Walker county, before the making of this affidavit.

James R. Gunter,
Editor Mountain Eagle.

Sworn to and subscribed before me, this 6th day of July, 1907.

R. T. Knight,
Justice of the Peace.

By Mr. Leith:

S. 483. To define the legal status of mental and physical suffering, and liability therefor, in Alabama.
Judiciary.

By Mr. Leith:

S. 484. To fix the time of holding the circuit courts in the counties of Walker and Winston, composing the 14th judicial circuit of the State of Alabama.
Local Legislation.

By Mr. Hamner:

S. 485. To amend section (6) six of an act entitled an act to create the office of associate judge of the city court of Gadsden; to provide for the qualification, election and appointment of such judge, to fix the term of office; to define his powers and duties and to provide for the payment of his salary.

Local Legislation.

With notice and proof as follows:

NOTICE.

The State of Alabama, }
County of Etowah. }

Pursuant to constitutional requirement notice is hereby given that bill will be introduced at the present session of the Legislature of Alabama, for the purpose of amending that part of an act passed by the Legislature of Alabama, at its present session, viz.: Section 6 of "An act entitled an act to create the office of associate judge of the city court of Gadsden, to provide for the qualification, election and appointment of such

judge, to fix the the term of office, to define his powers and duties and to provide for the payment of his salary" so as to increase the salary of said judge as now fixed by law, to provide for its payment.

June 8, 1907.

The State of Alabama, }
County of Etowah. }

Personally appeared before me, A. R. Brindley, a notary public in and for aforesaid county and State, Chas. E. Meeks, who being by me first duly sworn says that he is the editor and publisher of the Gadsden Times-News, a newspaper published in Gadsden, Etowah county, Alabama, and that the notice hereto attached giving notice of the proposed introduction of a bill in the Legislature to amend section 6 of an act of the Legislature fixing the salary of the associate judge of the city court of Gadsden, so as to increase the salary of such judge, has been published in said Gadsden Times-News, once a week for four consecutive weeks; that said notice was first published on the 8th day of June, 1907, and consecutively each week thereafter until published four consecutive weeks.

Chas. E. Meeks.

Sworn to and subscribed before me this the 5th day of July, 1907.

A. R. Brindley,
Notary Public.

By Mr. Hamner:

S. 486. To further protect and promote the propagation of fish and to protect private interests in ponds, pools, lakes or other reservoirs or bodies of water containing fish.

Game, Fish and Forestry Preservation.

By Mr. Hamner:

S. 487. To authorize incorporated cities and towns in this State which have within their corporate limits ancient, private or family cemeteries or burial grounds to contract for their care and maintenance.

Local Legislation.

By Mr. Hamner:

S. 488. To increase the salary of the solicitor of the county of Etowah as now fixed by law and to fix the same and to provide for its payment.

Local Legislation.

With notice and proof as follows:

NOTICE.

The State of Alabama, }
County of Etowah. }

Pursuant to constitutional requirement notice is hereby given that a bill will be introduced at the present session of the Legislature of Alabama, for the purpose of increasing the salary of the solicitor for Etowah county, as now fixed by law, fix the same and to provide for the time and manner of payment.

June 8th, 1907.

The State of Alabama, }
Etowah County. }

Personally appeared before me, A. R. Brindley, a notary public, in and for aforesaid State and county, Chas. E. Meeks, who being by me first duly sworn says: that he is the editor and publisher of the Gadsden Times-News, a newspaper published in Gadsden, Etowah county, Alabama, and that the notice hereto attached giving notice of the proposed introduction of a bill in the Legislature to increase the salary of the solicitor of Etowah county, Alabama, has been published in the said Gadsden Times-News, once a week for four consecutive weeks; that said notice was first published in said newspaper on the 8th day of June, 1907, and consecutively each week thereafter until published for four consecutive weeks.

Chas. E. Meeks.

Sworn to and subscribed before me this the 5th day of July, 1907.

A. R. Brindley,
Notary Public.

By Mr. Miller:

S. 489. To vacate and annul the dedication of the following highways and parts of highways situated in Jefferson county, Alabama, to-wit: All of Sadler avenue; the south-half of Lucian avenue from the center of Emma street to center of Telula street; all of Lucial avenue from center of Telula street to eastern boundary of Ella street; all of Ella street lying south of a continuation of the south line of the alley running easterly and westerly through block twenty-five and north of center of Valley Creek canal; all of Tulula street lying south of center of Lucian avenue and north of center of Valley Creek canal; the east-half Telula street lying between the continuation of the south line of the alley running easterly and westerly through block twenty-five and center of Lucian avenue; all of Emma street lying south of the continuation of the south line of the alley running easterly and westerly through block twenty-eight and north of the center of Valley Creek canal; the east-half of Emma street lying between the continuation of the south line of the alley running easterly and westerly through block twenty-eight and the center of Lucian avenue; and all alleys in or through block twenty-nine, thirty, and thirty-one; all being located according to the survey, map and plan of Owenton, a map of which is recorded in map book 2 at page 26 in the office of the probate judge of Jefferson county, Alabama.

Local Legislation.

With notice and proof as follows:

The State of Alabama, }
Jefferson County. }

Before the undersigned, Lutie Chisholm, a notary public in and for the county and State aforesaid, personally appeared Thomas B. Smith, who is known to me, and who being duly sworn, deposes and says on oath that he is business manager of the "Birmingham Ledger" and has been such business manager continuously since prior to the eleventh day of June, 1907; that the Birmingham Ledger is a newspaper of general circula-

tion, which has been published daily, except Sundays, in Birmingham, Jefferson county, Alabama, since prior to the eleventh day of June, 1907; and that the notice hereinbelow attached was published without cost to the State of Alabama, in regular issues of said newspaper which were published on the 11th, 18th and 25th days of June, and on the 2nd day of July, 1907, the said notice being in words and figures as follows, to-wit:

NOTICE.

Notice is hereby given that application will be made to the Legislature of Alabama to pass a local law to vacate and annul the dedication of the following highways and parts of highways situated in Jefferson county, Alabama, to-wit:

All of Sadler avenue; the south-half of Lucian avenue from center of Emma street to center of Telula street; all of Lucian avenue from center of Telula street to eastern boundary of Ella street; all of Ella street lying south of a continuation of the south line of the alley running easterly and westerly through block 25 and north of center of Valley Creek canal; all of Telula street lying south of center of Lucien avenue and north of center of Valley Creek canal; the east-half of Telula street lying between a continuation of the south line of the alley running easterly and westerly through block 25 and center of Lucien avenue; all of Emma street lying south of a continuation of the south line of the alley running easterly and westerly through block 28 and north of the center of Valley Creek canal; the east-half of Emma street lying between the continuation of the south line of the alley running easterly and westerly through block 28 and the center of Lucien avenue; and all the alleys in or through blocks 29, 30 and 31; all being located according to the survey, map and plan of Owenton, a map of which is recorded in map book 2, at page 26, in the office of the probate judge of Jefferson county, Alabama.

Lee C. Bradley,
Thomas B. Smith.

Sworn to and subscribed before me this the 8th day
of July, A. D., 1907.

Lutie Chisholm,
Notary Public.

By Mr. Miller:

S. 490. To vacate and annul the dedication of the following highways and parts of highways, situated in Jefferson county, Alabama, to-wit: All that part of the alleys lying and running through blocks 83, 122, 126 and 168 lying within one hundred feet of Fourteenth street and the continuation thereof, the said blocks being described according to the survey, map and plan of the city of Bessemer, by the Bessemer Land & Improvement Company, and situated in Bessemer, Jefferson county, Alabama.

Also all that part of the alley in block B of Hall's addition to Bessemer, map of the plan and survey of which is recorded in the office of the judge of probate of Jefferson county, Alabama, in map book 3 at page 23, which lies within two hundred feet of the continuation of Fourteenth street along the northwest boundary of said block, and situated in Jefferson county, Alabama.

Also all that part of Exeter avenue lying within one hundred feet of Fourteenth street in the city of Bessemer, Jefferson county, Alabama.

Also all that part of Seventeenth street lying between First avenue and Alabama avenue in the city of Bessemer, Jefferson county, Alabama.

Also all the alleys lying within and running through blocks two hundred and one and two hundred and two in the city of Bessemer, Jefferson county, Alabama.

Local Legislation.

With notice and proof as follows:

The State of Alabama, }
Jefferson County. }

Before the undersigned, Lutie Chisholm, a notary public in and for the county and State aforesaid, personally appeared Thomas B. Smith, who is known to

me, and who being duly sworn deposes and says on oath that he is business manager of the "Birmingham Ledger" and has been such business manager continuously since prior to the eleventh day of June, 1907; that the Birmingham Ledger is a newspaper of general circulation, which has been published daily, except Sundays, in Birmingham, Jefferson county, Alabama, since prior to the eleventh day of June, 1907; and that the notice hereinbelow attached was published without cost to the State of Alabama, in regular issues of said newspaper which were published on the 11th, 18th and 25th days of June, and on the 2nd day of July, 1907, the said notice being in words and figures as follows, to-wit:

NOTICE.

Notice is hereby given that application will be made to the Legislature of Alabama to pass a local law to vacate and annul the dedication of the following highways and parts of highways, situated in Jefferson county, Alabama, to-wit:

All that part of the alleys lying in and running through blocks 83, 122, 126 and 168, lying within one hundred feet of Fourteenth street and the continuance thereof, the said blocks being described according to the survey, map and plan of the city of Bessemer by Bessemer Land & Improvement Company, and situated in Bessemer, Jefferson county, Alabama.

Also all that part of the alley in block B of Hall's addition to Bessemer, map of the plan and survey of which is recorded in the office of the judge of probate of Jefferson county, Alabama, in map book 3, at page 23, which lies within two hundred feet of the continuation of Fourteenth street along the northwest boundary of said block, and situated in Jefferson county, Alabama.

Also all that part of Exeter avenue lying within one hundred feet of Fourteenth street in the city of Bessemer, Jefferson county, Alabama.

Also all that part of Seventeenth street lying between First avenue and Alabama avenue in the city of Bessemer, Jefferson county, Alabama.

And also all the alleys lying within and running through blocks 201 and 202 in the city of Bessemer, Jefferson county, Alabama.

Lee C. Bradley,
Thomas B. Smith.

Sworn to and subscribed before me, this the 8th day of July, A. D., 1907.

Lutie Chisholm,
Notary Public.

By Mr. Miller:

S. 491. To vacate and annul the dedication of the following highways and parts of highways, situated in Birmingham, Jefferson county, Alabama, to-wit:

All of Morris street from its beginning at Eighth street to its end abutting the property heretofore known as the Owen property.

All of Eighth street from First avenue, north, to the right of way of the Alabama Great Southern Railroad Company.

All of Minnie street from First avenue, north, to the end thereof abutting the property of the Tennessee, Coal, Iron & Railroad Co.

Local Legislation.

With notice and proof as follows:

The State of Alabama, }
Jefferson County. }

Before the undersigned, Lutie Chisholm, a notary public in and for the county and State aforesaid, personally appeared Thomas B. Smith, who is known to me, and who being duly sworn deposes and says on oath that he is business manager of the "Birmingham Ledger" and has been such business manager continuously since prior to the fifteenth day of June, 1907; that the Birmingham Ledger is a newspaper of general circulation, which has been published daily, except Sundays, in Birmingham, Jefferson county, Alabama, since prior to the fifteenth day of June 1907; and that the notice hereinbelow attached was published without cost to the State of Alabama, in regular issues of said newspaper

which were published on the 15th, 22nd and 29th days of June, and on the 6th day of July, 1907, the said notice being in words and figures as follows, to-wit:

NOTICE.

Notice is hereby given that application will be made to the Legislature of Alabama to pass a local law to vacate and annul the dedication of the following highway and parts of highways, situated in Birmingham, Jefferson county, Alabama, to-wit:

All of Morris street from its beginning at Eighth street to its end abutting the property heretofore known as the Owen property.

All of Eighth street from First avenue, north, to the right-of-way of the Alabama Great Southern Railroad Company.

All of Minnie street from First avenue, north, to the end thereof abutting the property of the Tennessee Coal, Iron & Railroad Company.

Lee C. Bradley,
Thomas B. Smith.

Sworn to and subscribed before me this the 8th day of July, A. D., 1907.

Lutie Chisholm,
Notary Public.

By Mr. Miller:

S. 492. To vacate and annul the dedication of the following highways and parts of highways, situated in Smithfield, Jefferson county, Alabama, according to the plan and survey of Smithfield by Dr. Joseph R. Smith, Sr., to-wit: All that part of Thomas street lying between Valley Creek canal and Sally avenue; all of Joseph street lying between Valley Creek canal and Irene avenue; all of Mortimer street lying between Valley Creek canal and Agnes avenue; all of Agnes avenue lying between Valley Creek canal and Mortimer street.

Local Legislation.

With notice and proof as follows:

The State of Alabama, }
Jefferson County. }

Before the undersigned, Lutie Chisholm, a notary public in and for the county and State aforesaid, personally appeared Thomas B. Smith, who is known to me, and who being duly sworn, deposes and says on oath that he is business manager of the "Birmingham Ledger" and has been such business manager continuously since prior to the 15th day of June, 1907; that the Birmingham Ledger is a newspaper of general circulation, which has been published daily, except Sundays, in Birmingham, Jefferson county, Alabama, since prior to the 15th day of June, 1907; and that the notice hereinbelow attached was published without cost to the State of Alabama, in regular issues of said newspaper which were published on the 15th, 22nd and 29th of June, and on the 6th day of July, 1907, the said notice being in words and figures as follows, to-wit:

NOTICE.

Notice is hereby given that application will be made to the Legislature of Alabama to pass a local law to vacate and annul the dedication of the following highways and parts of highways, situated in Smithfield, Jefferson county, Alabama, according to the plan and survey of Smithfield by Dr. Joseph R. Smith, Sr., to-wit: All that part of Thomas street lying between Valley Creek canal and Sally avenue; all of Joseph street lying between Valley Creek canal and Irene avenue; all of Mortimer street lying between Valley Creek canal and Agnes avenue; all of Agnes avenue lying between Valley Creek canal and Mortimer street.

Lee C. Bradley,
Thomas B. Smith.

Sworn to and subscribed before me this the 8th day of July, A. D., 1907.

Lutie Chisholm,
Notary Public.

By Mr. Spragins:

S. 493. To amend sections 7, 8, 14, 21, 24, 27, 29 and 32 of an act entitled an act to establish a law and equity court for Madison county, approved Feb. 26, 1907.

Revision of Laws.

~~With notice and proof as follows:~~

The State of Alabama, }
Madison County. }

Before me, W. F. Esslinger, a notary public in and for said State and county, this day personally appears Susanna W. Clay, who being duly sworn, says that the following notice of intention to apply for amendments to local law, to-wit:

NOTICE OF INTENTION TO APPLY FOR AMENDMENTS TO
LOCAL LAW.

Notice is hereby given that a bill will be introduced in the Legislature of Alabama, at its present session, to be entitled an act to amend sections 7, 8, 14, 21, 24, 27, 29 and 32 of an act to establish a law and equity court for Madison county approved February 26th, 1907.

The changes made by the amendments to said sections in the sections as they appear in the act are substantially as follows:

Section 7 is amended so as to change the terms of the court from the second Monday in January to the first Monday in March, and from the third Monday in September to the first Monday in October; the March term may continue until the last Saturday in June, inclusive, and the October term until the last Saturday in February, inclusive.

Section 8 is amended so as to provide that grand juries must be organized the first week of each term, each session limited to two weeks unless the judge extends the session. A grand jury may also be organized at any other time during a term with duties and powers of

grand juries, generally, sessions limited to the week in which organized unless the judge extends the session; to be summoned and organized in the manner provided by section 5,000 of the Code.

Section 14 is amended so as to require the justice or notary in cases of levy on land under execution or attachment from his court to transmit all the papers to the present term of this court, if practicable, otherwise to the next term, whereupon this court may proceed at once to order a sale of the land in like manner as circuit courts.

Section 21 is amended so as to provide that the register shall have, exercise and discharge the same powers and duties in term time as in vacation.

Section 24 is amended so as to make warrants in misdemeanor cases returnable before the judge, and so as to require an accused party wishing to have such charge investigated by a grand jury, to make the demand when the case is first called for trial, and in any event, before a continuance thereof and not afterward.

Section 27 is amended so as to require bills of exception to be signed within twenty days from the date of the judgment, but the judge may extend the time not later than ninety days from the date of the judgment, and any number of extensions may be made provided each order of extension is made before the expiration of the former order all not to exceed said ninety days.

Section 29 is amended so as to regulate more in detail the proceedings and practice in appeal cases from the courts of justices and notaries, the chief additions or changes being to make appeal cases returnable to the present term of the court unless the appeal is taken in vacation, then to the next term, and to provide that appeal cases stand for trial at once, subject to the regulations laid down in the section as amended.

Section 32 is amended so as to require any balance of the funds arising from sentences for costs in misdemeanor cases in this court, above the costs, and all funds arising from sentences on convictions in this court, except that part of such funds arising from the sentence for the fine, over and above the amount nec-

essary to pay the costs, to be paid into the county treasury to the credit of the general fund.

Each of said sections, as amended, except for the amendments thereto, is a substantial reproduction of such section as it appears in the act amended.

Was published once a week for four consecutive weeks upon the following dates, to-wit: May 22 and ~~29th, and June 5th and 12th, 1907,~~ in the Huntsville Weekly Democrat, a newspaper published in said county of Madison, and that affiant is the editor and publisher of said newspaper. Susanna W. Clay.

Sworn to and subscribed before me this the 13th day of June, 1907.

W. F. Esslinger,
Notary Public.

By Mr. Spragins:

S. 494. To fix the times and places of holding the chancery court in the 8th district of the northern division composed of the county of Madison.

Revision of Laws.

By Mr. Spragins:

S. 495. To create a board of education for the Huntsville school district of Madison county, Alabama; to provide for the election of their successors; to define the powers and duties of said board and to provide for the management, support and maintenance of the public schools of said district.

Revision of Laws.

With notice and proof as follows:

NOTICE.

Is hereby given that at the adjourned term of the present session of the Legislature of Alabama, beginning July 9, 1907, substantially the following bill will be offered for passage:

AN ACT

To be entitled an act to create a board of education for the Huntsville school district of Madison county, Alabama, to provide for the election of their successors, to define the powers and duties of said board and to provide for the management, support and maintenance of the public schools of said district.

1. Be it enacted by the Legislature of Alabama, That a board of education consisting of five members who are and shall be resident citizens of Huntsville, Alabama, qualified electors and householders and freeholders, shall be established for the Huntsville school district in Madison county, Alabama, composed of Paul Speake, W. I. Wellman, Jackson Rand, R. E. Pettus and James H. Pride and their successors in office; that said above named board shall have the power to select and elect their successors in office; that said board shall hold office until their successors are elected and qualified. Two members of said board of education shall hold office for two years, two others for four years, and one other for six years, those whose terms so expire to be chosen by lot. Each person elected by said board to supply vacancies, shall serve for four years or until his successor is elected and qualified; that said board of education shall serve without pay; that each of them shall, before he enters upon his duties as a member of said board of education, take an oath that he will faithfully to the best of his ability and in accordance with the law, discharge the duties devolving upon him as a member of said board during his term of office.

2. Be it further enacted that said board of education for said school district shall have exclusive power to elect teachers, to establish, regulate, control and conduct the public schools of the Huntsville district, and shall be capable and liable in law an equity to sue and be sued, plead and be impleaded, and shall have power to make such by laws and regulations for the government of their own body and for the election and pay of teachers, the admission of pupils and the conduct and control

of public schools in the said school district as they may deem necessary, not inconsistent with the constitution and laws of the State; but separate schools shall be maintained for the white and colored children, and all teachers employed shall have license from the State board examiners. It shall be within the power of said board of education to say what grade certificate shall be required of the teachers in said school district. Said board shall cause all the children of school age in said district to be enumerated and reported biennially as district trustees are required to do, and said board shall have power to appoint a treasurer and fix his bond, and to appoint such other officers and agents, as they may deem necessary to carry into effect the powers herein granted and to prescribe the duties and powers of such officers and agents.

3. Be it further enacted, That the board of education for the Huntsville district shall have power to take subscriptions and receive donations, rent and receive lands and buildings in said city for school purposes, and to furnish such buildings and to keep them in repair.

4. Be it further enacted, That the board of education shall have power in the event that the mayor and aldermen of the city of Huntsville shall not sufficiently supplement the State fund in the hands of the board, to require prepayment of a supplemental fee by each pupil, not to exceed fifty cents per month, to meet the expenses of said school; also to establish a high school for the teaching of the higher branches of education and to fix and to collect such tuition fees in the high school as may be deemed necessary in the event that the mayor and aldermen of the city of Huntsville shall not sufficiently supplement the State fund in the hands of the board, in addition to the fees and income to be derived from other sources, to carry on said high school.

5. Be it further enacted, That said board of education shall receive annually its proportionate share of the State and county educational funds coming to Madison county, and shall receive all taxes collected as poll tax within said district; and the corporate authorities of the city of Huntsville may appropriate annually out

of the revenues of said city such sums as they may determine for the use and maintenance of the public schools in said district. All revenues of said district shall be paid to the treasurer of said board and shall be disbursed by him under the directions of said board, in the same manner that county superintendents of education draw and disburse school funds, and the treasurer shall make such reports as county superintendents of education are required to make and such as the said board of education may require.

6. Be it further enacted, That all laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

The State of Alabama,)
Madison County.)

Before me, Janie Davidson, a notary public, in and for said county and State, personally appeared R. L. O'Neal, Jr., who being by me first duly sworn, deposed and said: That he is secretary and business manager of the Weekly Mercury, a newspaper published in the city of Huntsville, county of Madison, State of Alabama; and that the following notice of intention to apply for a local law has been published in the Weekly Mercury for four successive weeks, to-wit: on the 5, 12, 19 and 26th days of June, 1907, respectively.

R. L. O'Neal, Jr.,
Secretary and Business Manager.

Sworn to and subscribed before me, this 8th day of July, 1907.

Janie Davison,
Notary Public.

By Mr. Spragins:

S. 496. To amend section 12 of an act entitled an act to establish, maintain, regulate and make efficient a dispensary for Madison county, located in the city of Huntsville, approved Feb., 1907, and to add section 13-1-2 thereto.

Revision of Laws.

With notice and proof as follows:

The State of Alabama, }
Madison County. }

Before me W. F. Esslinger a notary public in and for said State and county this day personally appears R. L. O'Neal who being duly sworn says that the following notice, to wit:

NOTICE.

Is hereby given that substantially the following bill will be introduced at the July term of the legislature:

A BILL

A bill to be entitled an act to amend section 12 of an act entitled an act to establish, maintain, regulate and make efficient a dispensary for Madison county, located in the city of Huntsville, approved February, 1907, and to add section 13 1-2 thereto.

Be it enacted by the legislature of Alabama:

1. Section 12 of an act entitled an act to establish maintain, regulate and make efficient a dispensary for Madison county, approved February, 1907, is hereby amended by striking out the following portion thereof: He shall also keep in said dispensary a book or books in which shall be entered the date and amount of each purchase with the signature of the purchaser, or if he cannot write his name shall be written by the dispenser or his clerk or assistant. Said book or books shall be subject to inspection or examination by the grand juries of said county, and when properly identified shall be prima facie evidence of its contents in any of the courts of the State.

2. Section 13 1-2 is hereby added to said act which shall read as follows: 13 1-2. It shall be unlawful for any minor to enter said dispensary, unless in company with his parent or guardian, without the written order or consent of such parent or guardian to the dispenser;

and any minor violating the provisions hereof shall be guilty of a misdemeanor, and on conviction fined not less than ten nor more than fifty dollars. It shall be the duty of the dispenser to arrest forthwith any minor violating the provisions hereof.

Was published once a week for four consecutive weeks on the following dates, to-wit: June 5, 12, 19 and 26, 1907, in the Weekly Mercury, a newspaper published in said county of Madison and that affiant is the editor and publisher of said newspaper.

R. L. O'Neal.

Sworn to and subscribed before me this the 8th day of July, 1907.

W. F. Esslinger, Notary Public.

By Mr. Spragins:

S. 497. To provide that no license or tax of any character shall be required by State, county or municipality from the Tennessee Valley Fair Association or from those who conduct business under contracts with it on its grounds during the time its annual fair is actually in progress.

Revision of Laws.

With notice and proof as follows:

The State of Alabama, }
Madison County. }

Before me, Rachel Tomlinson, notary public in and for said county and State this day personally appeared R. L. O'Neal, who being duly sworn, deposes and says that the following notice of intention to apply for a local law, to-wit:

NOTICE.

Notice is hereby given that at the adjourned session of the present session of the legislature of Alabama, beginning July 9th, 1907, substantially the following bill will be offered for passage:

A BILL

To be entitled an act to provide that no license or tax of any character shall be required by State, county, municipality from the Tennessee Valley Fair Association or from those who conduct business under contract with it on its grounds during the time its ~~annual fair is actually in progress~~.

Section 1. Be it enacted by the legislature of Alabama that no license or tax of any character shall be required by State, county or municipality from the Tennessee Valley Fair Association or of those who conduct business under contract with it on its grounds during the time its annual fair is actually in progress.

Section 2. That all laws or parts of laws in conflict with the provisions of this act are hereby repealed.

Was published once a week for four consecutive weeks upon the following dates, to-wit: June 12, 19, 26 and July 3, 1907, in The Weekly Mercury, a newspaper published in Madison county, Alabama, and that affiant is the publisher and proprietor of said newspaper.

R. L. O'Neal.

Sworn to and subscribed before me this 8th day of July, 1907.

Rachel Tomlinson,
Notary Public.

By Mr. Reese:

S. 498. To legalize the shooting of doves on baited fields in the county of Dallas.

Game, Fish and Forrestry Preservation.

With notice and proof as follows:

NOTICE.

Notice is hereby given that application will be made to the legislature of Alabama at its session in July, 1907, for the passage of a law providing in substance that it shall be lawful to shoot doves on baited fields in the

counties of Dallas and Lowndes; provided that this shall not be construed to permit the killing of doves at a time prohibited by law.

The State of Alabama, }
County of Dallas. }

Before me, H. F. Reese a notary public in and for said county and State, personally appeared H. B. Kin-
cey, who being by me first duly sworn, deposes and says
that he is the publisher of the Selma Mirror, a newspa-
per published in Selma, Dallas county, Alabama, and
that the notice hereto attached was published once a
week for four consecutive weeks in said newspaper, on
the following days, to-wit: June 1 1907, June 8 1907,
June 14 1907, June 21 1907.

H. B. Kincey.

Sworn to and subscribed before me this the sixth day
of July, 1907.

H. F. Reese,
Notary Public, Dallas County, Ala.

By Mr. Reese:

S. 499. To legalize the shooting of doves in Dallas
and Lowndes counties between the first of August and
the first day of March, next thereafter.

Game, Fish and Forestry Preservation.

With notice and proof as follows:

NOTICE.

Notice is hereby given, that application will be made
to the legislature of Alabama, when it meets in July,
1907, for the passage of a law, the substance of which
is to make it lawful to shoot doves in Lowndes and Dal-
las counties, between the 1st day of August and the 1st
day of March next thereafter.

The State of Alabama. }
 County of Dallas. }

Before me H. F. Reese, a notary public in and for said county and State, personally appeared H. B. Kincey, who being by me first duly sworn, deposes and states that he is publisher of the Selma Mirror, a newspaper published in said county and State, and that the above notice was published in said newspaper once a week for four successive weeks on the following days, to-wit: June 1 1907, June 7 1907, June 14 1907, June 21 1907.

H. B. Kincey.

Sworn and subscribed before me this the 6th day of July 1907.

H. F. Reese, N. P. D. C.

NOTICE.

Notice is hereby given that application will be made to the legislature of Alabama, when it meets in July, 1907, for the passage of a law, the substance of which is to make it lawful to shoot doves in Lowndes and Dallas counties, between the 1st day of August and the 1st day of March, next thereafter.

The State of Alabama. }
 County of Lowndes. }

Before me J. C. Wood, judge of probate, in and for said county and State, personally appeared Mrs. Estelle Garrett, who, being by me first duly sworn, deposes and states that she is the publisher of The Citizen Examiner a newspaper published in said county and State, and that the notice above was published in said newspaper, once a week for four successive weeks ending July 4th 1907.

Mrs. Estelle Garrett.

Sworn and subscribed before me this the 8th day of July, 1907.

J. C. Wood,
 Judge of Probate, Lowndes Co. Ala.

By Mr. Glenn:

S. 500. To fix the time of holding the courts in the third judicial circuit of Alabama.

Revision of Laws.

By Mr. Spragins:

S. 501. To repeal an act entitled an act to regulate the trial of misdemeanors in Madison county, approved February 23rd, 1899, acts 1898-99, page 1553, and to transfer all causes and proceedings pending in the county court of Madison county as regulated or established by said act, and all dockets and records thereof, to the law and equity court of Madison county, and to give such court jurisdiction of such causes and proceedings and full power and authority thereover.

Revision of Laws.

With notice and proof as follows:

The State of Alabama. }
Madison County. }

Before me, W. F. Esslinger, a notary public, in and for said State and county, this day personally appears Roy O'Neal, who being duly sworn, says that the following notice of intention to apply for local law, to-wit:

NOTICE OF INTENTION TO APPLY FOR LOCAL LAW.

Notice is hereby given that a bill will be introduced in the legislature of Alabama at its session beginning the second Tuesday in January, 1907, the substance of which is to repeal an act entitled an act to regulate the trial of misdemeanors in Madison county, approved February 23rd, 1899, acts of 1898-9, page 1553, and to transfer all causes and proceedings pending in the county court of Madison county as regulated or established by said act, and all dockets and records thereof to the law and equity court of Madison county, and to give such court jurisdiction of such causes and proceedings and full power and authority thereover; such dockets and records to become a part of the dockets and records of

said law and equity court, and repealing all conflicting laws.

Was published once a week for four consecutive weeks upon the following dates, to-wit: January 2, 9, 16 and 23, 1907, in the Evening Banner, a newspaper published in said county of Madison, and that affiant is the editor and publisher of said newspaper.

Roy O'Neal.

Sworn to and subscribed before me this the 24th day of January, 1907.

W. F. Esslinger, Notary Public.

By Mr. Spragins:

S. 502. To repeal all statutes and laws establishing county courts, and proceedings therein, with monthly terms, for the trial of misdemeanors so far as the county of Madison is concerned.

Revision of Laws.

With notice and proof as follows:

The State of Alabama. }
Madison County. }

Before me, W. F. Esslinger, a notary public in and for said county and State, this day personally appears Roy O'Neal, who being duly sworn, says that the following notice of intention to apply for local law to-wit:

NOTICE OF INTENTION TO APPLY FOR LOCAL LAW.

Notice is hereby given that a bill will be introduced in the legislature of Alabama at its session beginning the second Tuesday in January, 1907, repealing all statutes and laws establishing county courts and proceedings therein, with monthly terms, for the trial of misdemeanors, so far as the county of Madison is concerned, and repealing all conflicting laws.

Was published once a week for four consecutive weeks upon the following dates, to-wit: January 2, 9, 16 and 23, 1907, in the Evening Banner, a newspaper published

in said county of Madison, and that affiant is the editor and publisher of said newspaper.

Roy O'Neal.

Sworn to and subscribed before me this the 24th day of January, 1907.

W. F. Esslinger, Notary Public.

By Mr. Miller:

S. 503. To further regulate and prohibit the sale or other disposition of spirituous, vinous, malt or intoxicating liquors or the issuing of prescriptions by physicians for the sale or other disposition of such liquors,
Temperance.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has adopted the following Joint Resolution, and sends the same herewith to the Senate:

H. J. R. 223. Joint resolution of the Legislature of Alabama to give assent to the purposes of the grant made, by the act of Congress to provide for an increased annual appropriation for the Agricultural Experiment Station in connection with the Land Grant Colleges.

Whereas, the Congress of the United States having passed an act, approved March 16th, 1906, entitled "an act to provide for an increased annual appropriation for Agricultural Experiment Stations and regulating the expenditure thereof; and

Whereas, this grant of money was made subject to legislative assent of the several States and Territories to the purpose of said grant,

Therefore, Be it resolved by the House of Representatives of the Legislature of Alabama, the Senate concurring, that the assent of the Legislature of Alabama is hereby given to the purposes of the grant made in said act of Congress; and that the trustees of the Alabama Polytechnic Institute, at Auburn, are hereby authorized

and directed to comply with the terms and conditions expressed in the act aforesaid."

Cyrus B. Brown, Clerk.

HOUSE MESSAGE.

The Senate concurred in and adopted the House Joint Resolution set out in the above and foregoing message from the House.

RESOLUTIONS.

Mr. Reynolds offered the following Joint Resolution:

"Whereas, the streams of Alabama have been depopulated of fish on account of inadequate laws in the past to restrain the reckless hand of those who persisted in seining, netting and dynamiting the fish of Alabama, and, since this legislature has enacted ample statutes to protect the streams of this State in the future from the ravages formerly visited on our supply of fish, and has inaugurated a warden system to vigilantly enforce these laws;

Therefore, be it resolved, by the Senate, the House concurring, that congress be, and the same is hereby memorialized to establish a fish hatchery in Alabama, to the end that our streams may receive more attention in the future and that they may be restocked with fish adaptable to our waters;

Resolved further, that a copy of this resolution be forwarded by the secretary of State to each of the United States Senators from Alabama and to each Alabama member of the House of Representatives.

Which was, on motion of Mr. Reynolds, put upon its immediate passage, and adopted.

Mr. Reese, offered the following resolution, which was referred to the committee on Rules.

SENATE JOINT RESOLUTION.

Memorial statute to John T. Morgan in Statuary Hall in the capitol at Washington, D. C

1. Be it resolved by the Senate of Alabama, the House of Representatives concurring, that a statute of marble or of bronze, in the discretion of the commission herein after named, be erected and placed in statuary hall of the capitol at Washington, D. C., under an act of the 38th congress, inviting the several States to place therein two citizens distinguished for executed and potentate services, as a memorial statute of John T. Morgan, in recognition of his long, brilliant and able career in the public service of the country and in grateful and affectionate testimony of the love, confidence and admiration of the people of Alabama.

2. That the sum of _____ is hereby set aside and appropriated out of any money in the treasury not otherwise appropriated, to defray the expenses of erecting and placing the said memorial statute in statuary hall.

3. That the governor of Alabama, Miss Mary Morgan and George W. Taylor be and they are hereby constituted a commission for and on behalf of the State of Alabama to contract for and select a suitable statute of John T. Morgan and to have the same placed in conformity with this resolution in statuary hall. In case of any vacancy in said commission the governor is authorized to fill the same.

4. The said amount hereby appropriated shall be available from time to time as may be necessary and the auditor shall issue his warrant therefor on the order of the governor.

Mr. Lusk offered the following joint resolution, which was adopted:

Resolved by the Senate, the House concurring:

1. That when the respective Houses adjourn on Tuesday, July 9th, it be to meet again on Friday, July 12th, at the regular hour of meeting as fixed by the rule or resolution of each House.

2. That when the respective Houses adjourn on Monday, July 15th, it be to meet again on Wednesday, July 17th, at the regular hour for meeting as fixed by the rule or resolution of each House.

3. That when the respective Houses adjourn on Friday, July 19th, it be to meet again on Monday, July 22nd, at the regular hour for meeting as fixed by rule or resolution of each House.

4. That when the respective Houses adjourn on Thursday, July 25th, it be to meet again on Saturday, July 27th, at the regular hour for meeting as fixed by the rule or resolution of each House.

5. That on the days on which the Legislature is not in session, Sunday excepted, the standing committees of each House are instructed and directed to sit for the consideration of such bills and other matters as have been referred to the committees.

Mr. Lusk also offered the following resolution, which was adopted:

Be it resolved by the Senate, the House concurring, that the door-keeper of the Senate be and he is hereby authorizd and empowered to employ one servant for the Senate in addition to those already employed for the remainder of this session of the Legislature and whose salary shall be \$2.50 per diem to be certified and paid as that of other employes of the Senate.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in the Senate amendment to the bill:

H. 388. To repeal an act entitled "An act to incorporate the South Side Reading Club of Birmingham, Ala.," approved February 13, 1897.

Cyrus B. Brown, Clerk.

NOTICE.

Of motion to take from adverse calendar House bill No. 135:

To the Senate of Alabama:

Notice is hereby given that motion will be made on the next legislative day following this date, to take from the adverse calendar and place on the calendar for a third reading, House bill No. 135, entitled an act "To prevent the shipment, transportation or delivery by any person, firm or corporation of any spirituous, vinous or malt liquors or intoxicating bitters from any point in the State of Alabama outside of a prohibition district to any point in the State of Alabama where spirituous, vinous or malt liquors or intoxicating bitters are prohibited from sale by law."

July 9, 1907.

Lucien Gardner.

REPORT OF CODE COMMITTEE.

Mr. Lusk from the committee heretofore appointed to compare and revise the manuscript of the Code prepared by the Hon. J. J. Mayfield, submitted the following report, and 500 copies of same ordered printed; said report being as follows:

Mr. President:

The joint committee of the Legislature appointed to read the manuscript of the Code, prepared by Hon. James J. Mayfield, respectfully report, that, after having organized by electing Sam'l Will John, as chairman, they have read every section of the manuscript and compared it with the corresponding section of the Code of 1896, or of the act codified, and have "revised, amended and corrected it so as to make it a harmonious body of law, as nearly perfect as possible.

The act under which this committee was raised, required the committee to "codify and incorporate in the manuscript-Code all general acts passed by the Legislature at this session.

That this might be done in the best manner possible, the committee directed Hon. James J. Mayfield to codify these general acts, which he did, and reported them codified, to the committee which considered them in codified form and still further revised and amended them and have placed them in the proper places in the manuscript.

~~The committee struck out and omitted sections 211-249 which were codified from the act of Feb. 18, 1899, regulating dispensaries in certain counties, as the act was really a local act, and was superseded in those counties to which it applied, by this act of March —, 1907.~~

The committee struck out and omitted the whole article comprising sections 644-657 of the manuscript relating to the quarantine board of health of Mobile bay, as said board has transferred all its property to the U. S. Government and ceased to exist.

The committee struck out and omitted Secs. 3094-3132, providing for the establishment and control of toll roads, as it was obsolete.

The committee did not introduce into the Code any new laws, but confined its labors to the task outlined by the act creating the committee, and in doing this the committee tried to reconcile all apparent conflicts, make clear all ambiguous statutes, and striking out all that were repetitions of others in other parts of the Code.

It is impossible to report these corrections in detail, as most of them are merely verbal, for the consideration of the Legislature; as in most cases the original act or section of the Code would have to be printed alongside of the section as amended by the committee, and this would require more time than is at the disposal of the present Legislature.

In every instance in which the committee's attention was called to an act or section of the Code passed before the adoption of the constitution of 1901, which was modified by the constitution, or in conflict therewith, the committee reconciled the provisions of the new Code with the constitution.

Our labors were facilitated by the presence of the commissioner during several days of our deliberations,

and by his printed report of 190 pages, which was found to be as full, as could be made and to be a very fair outline of his work.

The commissioner inserted a number of new sections, consisting principally of definitions and the didactic statement of legal principles, a few of which the committee approved.

Recognizing that the making of accurate definitions is one of the most difficult tasks, which requires time and very deliberate consideration, and that the committee would not have the time to properly consider these definitions, they are reluctantly omitted.

This work is a monument to the patience, industry, learning and skill of the commissioner, and if printed and bound in keeping with its contents will be the best Code Alabama ever had.

We have prepared and herewith submit, bills for the adoption of the Code, and the publication of the Code and acts, and recommend their speedy passage, so that advertisements may be made immediately for bids to publish the Code.

Sam. Will John,
Chairman.

John A. Lusk,
Henry P. Merrill,
Lucian Gardner.
A. H. Carmichael,
J. M. Foster,
Henry B. Steagall,
O. C. Maner,

RECESS.

The hour of 1:30 o'clock p. m. having arrived the Senate took a recess until 3:30 o'clock this afternoon.

AFTERNOON SESSION.

July 9, 1907.

The Senate reassembled at 3:30 o'clock p. m.

~~QUORUM~~

A quorum was present.

PRIVILEGES OF THE FLOOR.

Privileges of the floor were granted to Z. C. Bradley, J. J. Haynes, and Ed. Whatley, for today.

SPECIAL ORDER.

On motion of Mr. Lusk, Senate bill No. 344:

To further regulate opening, closing, keeping and selling, or giving away spirituous, vinous or malt liquors, under a license operating saloons in the State of Alabama, and to punish the violation thereof.

Was made a special order immediately after the reconvening of the Senate this afternoon.

ORDER TO PRINT.

On motion of Mr. Hinson 300 copies of Senate bill No. 110, "To regulate the carrying and use of firearms," were ordered printed for the use of the Senate.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended, as therein shown, and as amended, has concurred in S. J. R. No. 58, relative to adjournment of two Houses, and has concurred in S. J. R. No. 57, relative to memorializing Congress to establish fisheries, etc.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

The Senate concurred in the House amendment to Senate joint resolution No. 59, relative to the adjournment of the two Houses.

Said amendment being as follows:

"Amend by striking out all except paragraph one of said resolution."

BILLS ON THIRD READING.

The bill:

H. 25. To define corrupt solicitation of legislators and provide adequate punishment therefor and the means to effectually enforce this act.

Was taken up.

Mr. Miller offered the following amendment and demanded a division of the same:

"Amend by striking out sections two and three thereof."

The question being the adoption of that part of said amendment striking out section two, which was adopted.

Yeas, 15; nays, 9.

Yeas:

Messrs:

Blackmon	Hayes	Leith	Reynolds
Glenn	Heacock	Miller	Teasley
Gunn	Hinson	Moody	Wilson
Hamner	Jones	Reese	

—15.

Nays:

Messrs:

Doster	Lusk	McWhorter	Spragins
Gardner	Merritt	Reid	Strother
Horton			

—9.

And on the second part of said amendment striking out section three of said bill, the same was adopted.

Yeas, 17; nays, 7.

Yeas:
 Messrs:
 Blackmon Heacock Miller Spragins
 Glenn Hinson Moody Strother
 Gunn Jones Reese Teasley
 Hamner Leith Reid Wilson
 Hayes

—17.

Nays:
 Messrs:
 Doster Horton Merritt Reynolds
 Gardner Lusk McWhorter

—7.

Mr. Hinson offered the following amendment, to-wit:
 Amend by striking out section four thereof.
 Which was adopted.

Yeas, 14; nays, 5.

Yeas:
 Messrs:
 Blackmon Hayes Leith Reynolds
 Glenn Heacock Miller Teasley
 Gunn Hinson Moody Wilson
 Hamner Jones

—14.

Nays:
 Messrs:
 Gardner Merritt McWhorter Spragins
 Lusk

—5.

Mr. Reese offered the following amendment:
 Amend H. B. 25 by adding at end of section 5 the following:

Provided, nothing herein contained shall be construed to prevent any person, under any circumstances at any place from freely speaking to the Senator and Representative from the district or county in which he resides, his views concerning any proposed legislation.

Which was adopted.

Yeas, 22; nays, 1.

Yeas :

Messrs :

Doster	Heacock	Miller	Reynolds
Glenn	Hinson	Moody	Spragins
Gunn	Horton	McWhorter	Strother
Hamburger	Jones	Reese	Teasley
Hamner	Leith	Reid	Wilson
Hayes	Merritt		

—22.

Nays : Mr. Lusk—1.

And the bill, as thus amended, was read a third time, at length, and passed.

Yeas, 15; nays, 7.

Yeas :

Messrs :

Gardner	Lusk	McWhorter	Spragins
Glenn	Merritt	Reese	Strother
Hayes	Miller	Reid	Teasley
Horton	Moody	Reynolds	

—15.

Nays :

Messrs :

Gunn	Hamner	Jones	Wilson
Hamburger	Heacock	Leith	

—7.

The bill :

H. 152. To have codified and published the local acts or laws relating to the several counties in this State.

Was taken up.

The following amendment offered by the committee was adopted :

“Insert in third line from bottom of bill the words “or corporation” between the words “persons and.”

Yeas, 13; nays, 5.

Yeas :

Messrs :

Doster	Heacock	Moody	Spragins
Glenn	Hinson	McWhorter	Teasley
Gunn	Jones	Reynolds	Wilson
Hamner			

—13.

Nays:
 Messrs:
 Forrester Leith Lusk Reid
 Gardner

—5.

Mr. Teasley offered the following amendment, to-wit:
 Amend by adding, within one year after the passage
 of this act, and every twelve years thereafter.

Which was adopted.

Yeas, 17; nays, 5.

Yeas:

Messrs:
 Forrester Hinson Lusk McWhorter
 Gardner Horton Merritt Reid
 Glenn Jones Miller Strother
 Hamner Leith Moody Wilson
 Heacock

—17.

Nays:

Messrs:
 Doster Reynolds Spragins Teasley
 Gunn

—5.

Mr. Hamner moved to recommit the bill to the committee on Revision of Laws. Which was lost.

On motion of Mr. Gardner the bill was indefinitely postponed.

ADJOURNMENT.

On motion of Mr. Gardner at 5 o'clock p. m. the Senate adjourned until 10 o'clock Friday morning.

THIRTY-NINTH DAY.

Friday, July 12th, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. Brooks Lawrence, of Birmingham.

ROLL CALL.

Present:

Mr. President, and,

Messrs:

Barbour	Hamner	Lusk	Reynolds
Bayles	Hayes	Merritt	Spragins
Blackmon	Heacock	Miller	Strother
Doster	Hinson	Moody	Teasley
Forrester	Horton	McWhorter	Thomas
Gardner	Jones	Overton	White
Glenn	King	Reese	Wilson
Gunn	Leith	Reid	Wimberly
Hamburger.	Lowe		

—34.

JOURNAL.

On motion of Mr. Merritt the reading of the Journal of yesterday was dispensed with and the same was approved.

PRIVILEGES OF THE FLOOR.

The privileges of the floor were extended to T. C. Davis, Judge Austell, M. C. Algood, T. N. Crumpton and Charles L. Cargile.

INTRODUCTION OF BILLS.

On a call of the districts, bills were introduced, read one time and referred to appropriate standing committees as follows:

By Mr. Hayes:

S. 504. To fix the time of holding the circuit court in the county of Limestone, in the eighth judicial circuit of Alabama.

Local Legislation.

By Mr. Lusk:

S. 505. For the relief of confederate soldiers and sailors, resident citizens of Alabama, and their widows.

Finance and Taxation.

By Mr. Hamner:

S. 506. To amend section 1372 of the code of 1896 of the State of Alabama.

Local Legislation.

With notice and proof as follows:

NOTICE.

Pursuant to the requirement of the constitution of Alabama, notice is hereby given that a bill will be introduced at the adjourned term of the legislature of Alabama to increase the pay for ex-officio services of the clerk of the city court of Gadsden, judge of probate and sheriff of Etowah county, and provide for payment of the same.

This June 8, 1907.

The State of Alabama. }
Etowah County. }

Personally appeared before me W. B. Ford, clerk of the circuit court in and for said county, Charles E. Meeks, who being duly sworn deposes and says that he is the business manager of the Gadsden Times-News, a newspaper published in Gadsden, in the county of Etowah State of Alabama, that the notice, a copy of which is hereto attached was published in said newspaper once a week, for four (4) successive weeks, and was first published in said newspaper in its issue dated 11th day of June, 1907, and last publication thereof, being in the issue dated 2nd day of July, 1907.

Charles E. Meeks.
Business Manager.

Subscribed and sworn to before me this the 10th day of July 1907.

W. B. Ford, Clerk Circuit Court.

By Mr. Overton:

S. 507. To set aside all moneys arising from the sale of fertilizer tags, sale of licenses, or any other funds collected by the department of Agriculture and Industries paid into the State treasury, not otherwise appropriated, and six thousand (\$6,000.00) dollars from any funds in the treasury, not otherwise appropriated, for the use of the department of Agriculture and Industries for the purpose of holding farmers' institutes, conducting experiments, gathering statistics, paying the salary of the State chemist, printing and distributing bulletins and hand books and for carrying out any laws now in existence or may hereafter be enacted for the betterment of the agricultural interests.

Finance and Taxation.

By Mr. Overton:

S. 508. To prohibit pools, trusts, monopolies, conspiracies, to control business and prices of articles; to prevent the formation or operation of pools, trusts, monopolies and combinations of charters of corporations that violate the terms of this act and to authorize the institution of prosecutions and suits therefor.

Judiciary.

By Mr. Strother:

S. 509. To provide for the organization, incorporation, government and regulation of cities and towns and to define the rights, powers, duties, jurisdiction and authority of such cities and towns and of the officers thereof, and to prescribe penalties for violations of the provisions of this act.

Municipalities and Municipal Organizations.

By Mr. Miller:

S. 510. To authorize and require the governor to designate and appoint one of the judges of the city court of Birmingham as special judge of the criminal court of Jefferson county.

Local Legislation.

With notice and proof as follows:

NOTICE.

Notice is hereby given that there will be introduced ~~for passage at the adjourned session of the legislature of Alabama, which meets in July next, a bill to authorize and require the governor to designate and appoint one of the judges of the city court of Birmingham as special judge of the criminal court of Jefferson county whenever a necessity therefor exists. Said bill shall provide for a conference of all the judges of said courts to determine upon such necessity and the length of time the services of such special judge are needed and for a certification of such facts to the governor; and the governor shall designate one of the judges of the city court of Birmingham to serve as special judge of said criminal court for the time the necessity therefor is so certified to exist. Said proposed act shall define the jurisdiction and powers of such special judge.~~

June 17, 1907.

The State of Alabama. }
Jefferson County. }

Before me, Charles S. Leeper, a notary public in and for said State and county, personally appeared W. H. Jeffries who being duly and legally sworn, deposes and says that he is manager of the Advertising department of the Birmingham Age-Herald; that the Birmingham Age-Herald is a newspaper published in the city of Birmingham, Jefferson county, Alabama; that the notice, a copy of which is hereto attached, was inserted, published and appeared regularly in the said Birmingham Age-Herald, in said county of Jefferson, State of Alabama, once a week for four consecutive weeks, without costs to the State of Alabama.

W. H. Jeffries.

Sworn to and subscribed before me this the 10th day of July 1907.

Chas. S. Leeper, Notary Public.

By Mr. Miller:

S. 511. To authorize and empower the Alabama Industrial School, for white boys, to acquire real estate by purchase, condemnation or otherwise for the use of said school.

Finance and Taxation.

With notice and proof as follows:

NOTICE.

Notice is hereby given that at the next session of the Legislature of Alabama a bill will be introduced to authorize the Alabama Industrial School, for white boys, to acquire such lands, or such interest or easement in lands, as may be useful or convenient for the purpose of said school, either by purchase, by condemnation in the manner provided by law for the condemnation of private property for public use or in any other lawful manner.

The State of Alabama, }
Jefferson County. }

Before me Chas. S. Leeper, a notary public in and for said county in said State, personally appeared John L. McRae, who being duly sworn, deposes and says he is assistant business manager of the Age-Herald Publishing Company, a body corporate, and authorized to make this affidavit for said Company; that said Age-Herald Publishing Company publishes the "Age-Herald" in the city of Birmingham in said county and State and that said paper is a daily newspaper of general circulation in said county, and affiant further says that the notice hereto attached, relative to the Alabama Industrial School was published in said Age-Herald once a week for four consecutive weeks on the following dates, viz: 23rd day of May 1907, 30th day of May 1907, 6th day of June 1907 and the 13th day of June, 1907.

This affidavit is made in triplicate.

Jno. L. McRae.

Sworn to and subscribed before me, this the 8th day of June 1907.

Chas. S. Leeper, Notary Public.

By Mr. Leith:

S. 512. To confer equity jurisdiction upon the circuit courts in Walker and Winston counties; to prescribe the ~~times of calling the equity dockets in the circuit court in said counties, and to provide a register for said courts.~~
Judiciary.

With notice and proof as follows:

NOTICE.

There will be introduced at the adjourned session of the Legislature of Alabama, which convenes July 9th, 1907, a bill substantially as follows:

A BILL.

To be entitled an act to confer equity jurisdiction upon the courts in Walker and Winston counties; to prescribe the times of calling the equity dockets in the circuit courts of said counties, and to provide a register for said courts.

Section 1. Be it enacted by the Legislature of Alabama, That equity jurisdiction is hereby conferred upon the circuit court in the counties of Walker and Winston, and that the circuit court in said counties is hereby invested with all the powers and jurisdiction of a court of chancery.

Section 2. That when exercising the jurisdiction and powers of a court of chancery or equity, the court shall conform to the rules of procedure and practice in the chancery courts of this State. Provided, That the presiding judge of such court shall have power to make and adopt such rules of practice as may be required by a proper system of practice for said court, which rules shall be entered of record upon the minutes of said court.

Section 3. That the chancery or equity dockets of the said circuit courts in said counties of Walker and Win-

ston, shall be called by the presiding judge thereof, in each year, for said counties as follows:

1. In the county of Walker, at Jasper, on the 3rd Mondays in March and September, of each year, and may continue one week.

2. In the county of Winston, at Double Springs, Thursday after the fourth Monday in March and September, of each year, and may continue for five days.

Section 4. That the chancery cases in the said circuit courts of Walker and Winston counties, may be heard and passed upon at any other time than the time mentioned, whenever the said circuit court is in session.

Section 5. The judge of the circuit court shall appoint a register for the equity side of the docket for each county, who shall hold office during the term for which the judge appointing him was elected; Provided, that the present register in chancery for the chancery district composed of Walker and Winston counties shall remain in office until the expiration of his present term. The official bond, duties, liabilities, fees and commissions of the register of said court shall be the same as those of registers in chancery in this State and he shall be the custodian of all the books, records and papers pertaining to the equity side of said court.

Section 6. That all laws and parts of laws in conflict with this act are hereby repealed.

The State of Alabama, }
Walker County. }

Before me R. T. Knight, a justice of the peace in and for said county, this day personally came James R. Gunter, editor of the Mountain Eagle, and known to me to be such editor of said newspaper, which newspaper is published in the town of Jasper, in the county of Walker, in the State of Alabama, who, being by me first duly sworn, deposes and says that the attached notice and the bill entitled an act to confer equity jurisdiction upon the circuit courts in Walker and Winston counties; to prescribe the times of calling the equity dockets in the circuit courts in said counties, and to provide a register for said courts, was published once a week for

four consecutive weeks in said newspaper, called the Mountain Eagle, in Walker county, Alabama, before the making of this affidavit.

James R. Gunter,
Editor Mountain Eagle.

Sworn to and subscribed before me this 6th day of
July, 1907.

~~R. T. Knight,~~
Justice of the Peace.

NOTICE.

There will be introduced at the adjourned session of the Legislature of Alabama, which convenes July 9th, 1907, a bill substantially as follows:

A BILL.

To be entitled an act to confer equity jurisdiction upon the courts in Walker and Winston counties; to prescribe the times of calling the equity dockets in the circuit courts of said counties, and to provide a register for said courts.

Section 1. Be it enacted by the Legislature of Alabama, That equity jurisdiction is hereby conferred upon the circuit court in the counties of Walker and Winston, and that the circuit court in said counties is hereby invested with all the powers and jurisdiction of a court of chancery.

Section 2. That when exercising the jurisdiction and powers of a court of chancery or equity, the court shall conform to the rules of procedure and practice in the chancery courts of this State. Provided, That the presiding judge of such court shall have power to make and adopt such rules of practice as may be required by a proper system of practice for said court, which rules shall be entered of record upon the minutes of said court.

Section 3. That the chancery or equity dockets of the said circuit courts in said counties of Walker and Win-

ston, shall be called by the presiding judge thereof, in each year, for said counties as follows:

1. In the county of Walker, at Jasper, on the 3rd Mondays in March and September, of each year, and may continue one week.

2. In the county of Winston, at Double Springs, Thursday after the fourth Monday in March and September, of each year, and may continue for five days.

Section 4. That the chancery cases in the said circuit courts of Walker and Winston counties, may be heard and passed upon at any other time than the time mentioned, whenever the said circuit court is in session.

Section 5. The judge of the circuit court shall appoint a register for the equity side of the docket for each county, who shall hold office during the term for which the judge appointing him was elected; Provided, that the present register in chancery for the chancery district composed of Walker and Winston counties shall remain in office until the expiration of his present term. The official bond, duties, liabilities, fees and commissions of the register of said court shall be the same as those of registers in chancery in this State and he shall be the custodian of all the books, records and papers pertaining to the equity side of said court.

Section 6. That all laws and parts of laws in conflict with this act are hereby repealed.

The State of Alabama, }
Winston County. }

Before me, Rufus I. Dodd, clerk of the circuit court in and for said county, personally appeared Geo. W. Adkins, who is known to me to be the editor and publisher of the New Era, a weekly newspaper published in said county, who being by me duly sworn deposes and says that the attached notice of "a bill to be entitled an act to confer equity jurisdiction upon the circuit court of Walker and Winston counties, to prescribe the times of calling the equity docket in the circuit courts of said counties, and to provide a register for said courts" has been published in said newspaper for four consecutive

weeks prior to the time of making this affidavit.
This July 8th, 1907.

Geo. W. Adkins,
Editor New Era.

Subscribed and sworn to before me this the 8th day of
July, 1907.

Rufus I. Dodd,
Clerk Circuit Court.

By Mr. Reid :

S. 513. To amend an act to provide for the inspection of jails and almshouses and cotton mills or factories approved March 4, 1907, by adding section 12, to provide for a clerk to the Inspector and for office expenses of the inspector.

Finance and Taxation.

By Mr. Reid :

S. 514. To amend section 992 of the code of Alabama of 1896.

Judiciary.

By Mr. Reid :

S. 515. To authorize any person receiving a conveyance of real estate or of any interest in real estate which is adversely held at time of such conveyance to sue for possession thereof in his own name.

Judiciary.

By Mr. Gunn :

S. 516. To give to certified transcripts of validly executed instruments not properly acknowledged or proven, but that have been of record for twenty years, the same force and effect as transcripts of like instruments duly acknowledged and recorded.

Judiciary.

By Mr. Gunn :

S. 517. To amend section 3 of an act entitled an act to establish a separate school district in Clarke county, Alabama, to be known as the Grove Hill School District, and to provide for the maintenance of the same.

Approved March 4, 1901.

Local Legislation.

With notice and proof as follows:

NOTICE.

Application will be made for the legislature to amend section 3 of an act entitled an act to establish a separate school district in Clarke county, Alabama, to be known as the Grove Hill school district, and provide for the maintenance of the same, approved March 4, 1901, so that said section shall read as follows:

Section 3. Be it further enacted, That on the first Monday in January, 1908, and every 2 years thereafter, the white patrons of said district shall assemble at the school house thereof, at ten o'clock, a. m., and elect five trustees, who shall serve for two years and until their successors are elected. That said board of trustees so elected, shall elect from their number a chairman whose duty it will be to preside at and call all necessary meetings of said board, to approve the quarterly reports of teachers in the manner provided by the general school laws for the trustees of townships, and to perform all other duties that said board of trustees may prescribe.

The State of Alabama,)
County of Clarke.)

Before me W. D. Dunn, a notary public in and for State and county, personally appeared George Carleton, who being duly sworn deposes and says that he is publisher of the Clarke County Democrat, a newspaper published in Grove Hill, Clarke county, Alabama, and that the notice of proposed legislation hereto attached was published in said paper four weeks, beginning May 30th 1907, and ending July 4th 1907.

G. A. Carleton.

Subscribed and sworn to before me this the 8th day of July 1907.

Wm. D. Dunn,
Notary Public, Clarke County, Ala.

By Mr. King:

S. 518. For the relief of Samuel P. Prowell, ex-probate judge of Marengo county, Alabama, for the purpose of re-imbursing him for money overpaid by him as judge of probate into the State treasury for a tax on State licenses due from Marengo county for the year 1904.

Finance and Taxation.

~~With notice and proof as follows:~~

NOTICE.

Notice is hereby given, that a bill will be introduced at the present session of the Legislature for the relief of Samuel P. Prowell, as late judge of probate of Marengo county, Alabama.

I. I. Canterbury.

The State of Alabama, }
Marengo County. }

Before me C. B. Cleveland, clerk of the circuit court in and for said county of Marengo, personally appeared John E. Hecker, who being duly sworn deposes and says: That he is the editor and publisher of The Linden Reporter, a newspaper published at Linden, Marengo Co., Ala.; that said paper is published weekly, and that the hereto attached notice was published in said paper for four successive weeks beginning in its issue of May 3, 1907, and ending May 31, 1907.

Jno. C. Hecker.

Publisher and Editor of the Linden Reporter.

Subscribed and sworn to before me this 29th day of June, 1907.

C. B. Cleveland, Clerk, etc.

By Mr. Jones:

S. 519. To ratify, confirm and validate loans of money, evidenced by notes and secured by mortgages, or either, made by towns not exceeding a population of two thousand inhabitants as shown by the last federal census.

Judiciary.

By Mr. Gardner:

S. 520. To amend section 10 and section 11 of an act entitled, "an act, to create a railroad commission to be known as the "Railroad Commission of Alabama," define its duties and powers and provide for its mode of procedure and prescribe penalties for violation of its orders."

Commerce and Common Carriers.

By Mr. Merritt:

S. 521. To repeal an act approved September the 30th, 1903, entitled an act to provide a better system, and the more efficient working of the public roads of Bullock county.

Local Legislation.

(The above bill was not accompanied by notice and proof as required by the constitution.)

By Mr. Reese:

S. 522. To amend article 1 of chapter 109, of the code of Alabama, 1896.

Revision of Laws.

By Mr. Reese:

S. 523. To create and establish a commission to be known as "Selma Water Works Commission," to prescribe their qualifications, mode of election, duties, powers and compensation, terms of office, and to fix a maximum rate to be charged for Water in Selma, Alabama.

Local Legislation.

With notice and proof as follows:

NOTICE.

Notice is hereby given that application will be made to the Legislature of Alabama when it meets in July, 1907, for the passage of a law, the provisions of which are in substance, as follows:

To create and establish Selma Water Works Commission, composed of three citizens of Selma, bona fide residents and house holders, one of whom shall be president of said commission; the terms of office shall be respec-

tively, two, four and six years, from the second Monday in May, 1907, and whose terms thereafter shall be for six years, each of said commissioners to be elected on the 2nd Monday in May of each year; after the terms of the first commissioners respectively expire, by the Mayor and the council of Selma that the present commissioners shall continue in office as follows: W. R. Peacock, until the 2nd Monday in May, 1913; A. Thalheimer, until the 2nd Monday in May, 1911, and Ernest Lamar, until the 2nd Monday in May 1909; said commission to manage, conduct and control the system of water works, mains, hydrants, sewers and the entire plant heretofore purchased by Selma, from the Selma Water Works Co., and such additions and increments as may hereafter be made; said commission to elect their president, to serve for a term of two years from the date of his election, and until his successor is elected and qualified; said president, also, to act as secretary and to keep and preserve minutes of all meetings and proceedings of said commission, and to preserve records, papers, contracts, books, and so forth; to have principal charge of the commission and its affairs and under direction of said commission to have charge and control of said water works plant and system, sewer, pipes, hydrants and all of the details incident or connected with the running, maintenance, repair, management and operation of said system and plant; said commission to have its office in the city building of Selma, and to meet at least once a month and oftener, if necessary, for the conducting of the affairs of the commission; said commission to have authority to employ superintendent and manager, and engineer, firemen and all other necessary employes, and hands, and to fix their compensation, and to fix, prescribe and regulate their duties and to fix the rate for water consumers, or use by any person, firm or corporation, but in no event shall such rates be greater for any use, consumption, trade or occupation, than those authorized in a certain contract lately existing between the municipality of Selma and the Selma Water Works Co. Said commission to cause to be kept neat and accurate books of all of its accounts, dealings and transactions

with each water consumer; and its expenditures and disbursements, receipts and income and said books to be open to the inspection during office hours, of any tax payer of Selma; to make a monthly report of the affairs of said commission to the council of Selma, showing the amount due by each of the consumers of water during the month and the amount collected by commission from all sources, total disbursements and balance on hand, and, in what bank or banks same is deposited, and such other matters upon which the council of Selma may request report; said reports to be recorded on the minutes of the council; to designate at least one bank in Selma as a depository for all moneys of the commission, and to deposit therein all monies received by said commission to the credit of "The Selma Water Works Commission;" and all disbursements, whatever, shall be paid by check on such bank, drawn by the superintendent and manager of said commission and counter-signed by the president or in his absence, by one of the commissioners; to fix the compensation of such president at \$900.00 per annum, payable monthly, and that the other two commissioners, at five dollars per meeting, not to exceed ten dollars per month, for each commissioner; the mayor of Selma to be an ex-officio member of said commission without compensation or vote, to make a full annual report of its affairs to the council of Selma, on the 30th day of April, of each year, showing in detail the total collections during the fiscal year, ending on said day, the amount disbursed, and for what purpose and the balance on hand and the amount or amounts, owing the said commission and from what source; and the amount, if any, due or owing by said commission, and the nature of such indebtedness; on the 1st day of May and November, up to and including May 1st, 1911, out of its receipts, to pay interest on the bonds secured by mortgage, dated May 1st, 1907, of the said plant, and after said time, to apply the net earnings of the said system and plant on the 1st day of May of each year, or as soon thereafter as possible, to the redemption of said bonds in their numerical order; to fix and draw up the necessary by-laws and rules for the management, conducting

and controlling of said system and plant, for the government of said commission, and for the enforcement of prompt and faithful payments of the amounts due for water by consumers, not inconsistent with the provisions of this act, and to grant such commission full power and authority necessary and incidental to carry out the purposes for which the same was created.

The State of Alabama, }
 The County of Dallas. }

Before me, John W. Lapsley, a notary public in and for said county, in said State, personally appeared F. S. Kincey, who being by me first duly sworn deposes and says: That he is the publisher of the "Selma Journal," a newspaper published in Selma, in Dallas county, Alabama, and that the notice hereinabove copied was published once a week for four consecutive and successive weeks in said newspaper, the last publication of said notice being made on the 8th day of July, A. D., 1907.

F. S. Kincey.

Sworn to and subscribed before me this the 8th day of July, A. D., 1907. John W. Lapsley,
 Notary Public, Dallas County, Alabama.

By Mr. Reese:

S. 524. To prohibit the sale, barter or exchange of spirituous, vinous or malt liquor or intoxicating beverages or drinks within five miles of the Presbyterian and Baptist churches at Pleasant Hill, Dallas county, Alabama, and to provide for the punishment of the violation of said act by the circuit courts of Dallas or Lowndes counties.

Temperance.

With notice and proof as follows:

NOTICE.

Notice is hereby given that application will be made to the Legislature of Alabama, when it meets in July, for the passage of a law prohibiting the sale, barter, or

exchange of spirituous, vinous, or malt liquors or intoxicating beverages or drinks within five miles of the Presbyterian and Baptist churches at Pleasant Hill, Dallas county, Alabama, and providing punishment for the violation of said law by the circuit courts of Dallas and Lowndes counties.

The State of Alabama, }
County of Lowndes. }

Before me, J. C. Wood, judge of probate, in and for said State and county, personally appeared Mrs. W. M. Garrett, who being by me first duly sworn, deposes and says, that she is publisher of the Citizen-Examiner, a newspaper published in Haynesville, Lowndes county, Alabama; that the notice hereto attached was published once a week for four successive weeks in said newspaper, on the following days, to-wit: June 13th, 1907, June 20th, 1907, June 27th, 1907, and July 4th, 1907.

Mrs. W. M. Garrett.

Sworn to and subscribed before me this the 6th day of July, A. D., 1907.

J. C. Wood,
Probate Judge, Lowndes County, Ala.

NOTICE.

Notice is hereby given that application will be made to the Legislature of Alabama, when it meets in July for the passage of a law prohibiting the sale, barter or exchange of spirituous, vinous or malt liquors or intoxicating beverages or drinks within five miles of the Presbyterian and Baptist churches at Pleasant Hill, Dallas county, Alabama, and providing punishment for the violation of said law by the circuit courts of Dallas or Lowndes county.

The State of Alabama, }
County of Dallas. }

Before me, H. F. Reese, a notary public, in and for said county and State, personally appeared H. B. Kincey, who, being by me first duly sworn, deposes and says

that he is publisher of the Selma Mirror, a newspaper published in Selma, Dallas county, Alabama; that the notice hereto attached was published once a week for four successive weeks in said newspaper, on the following days, to-wit: June 8, 1907, June 14, 1907, June 21, 1907, and June 28, 1907.

H. B. Kincey.

Sworn to and subscribed before me this the 6 day of July, 1907.

H. F. Reese,

N. P. Dallas Co., Ala.

By Mr. Reese:

S. 525. To prohibit the barter or exchange of spirituous, vinous or malt liquor or intoxicating beverages or drinks within three miles of the Sister Springs church, in Dallas county, Alabama, and to provide for the punishment of the violation of said act by the circuit court of Dallas and Lowndes counties.

Temperance.

With notice and proof as follows:

NOTICE.

Notice is hereby given that application will be made to the Legislature when it meets in July, 1907, for the passage of a law prohibiting the sale of spirituous, vinous, or malt liquors, intoxicating beverages or drinks, within three miles of the white Baptist church in Dallas county, known as the "Sister Springs Church"; and to provide for the punishment of violations of said law, in either the counties of Lowndes or Dallas.

The State of Alabama, }
County of Dallas. }

Before me, H. F. Reese, a notary public in and for said county and State, personally appeared H. B. Kincey, who, being by me first duly sworn, deposes and says that he is the publisher of the Selma Mirror, a newspaper published in Selma, Dallas county, Alabama, and that the notice hereto attached was published once a week for four successive weeks in said newspaper, on the

following days, to-wit: June 1, 1907, June 8, 1907, June 14, 1907, and June 21, 1907. H. B. Kincey.

Sworn to and subscribed before me this 6 day of July, 1907. H. F. Reese,

Notary Public, Dallas County, Ala.

NOTICE.

Notice is hereby given that application will be made to the Legislature when it meets in July, 1907, for the passage of a law prohibiting the sale of spirituous, vinous, or malt liquors, intoxicating beverages or drinks, within three miles of the white Baptist church in Dallas county, known as the "Sister Springs Church"; and to provide for the punishment of violations of said law, in either the counties of Lowndes or Dallas.

AFFIDAVIT.

The State of Alabama, }
County of Lowndes. }

Personally appeared before me, J. C. Wood, judge of probate in and for said county and State, Mrs. Estelle Garrett, who, being by me first duly sworn, deposes and says on oath that she is the publisher of "The Citizen-Examiner," a newspaper published at Hayneville, in said county and State, and that the above notice is a true copy of the notice which was published in said paper for four successive weeks, commencing on the 30th day of May, 1907, published again on the 6th of June, 1907; again on the 13th of June, 1907; and again on the 20th day of June, 1907. Mrs. Estelle Garrett.

Given under my hand this the 10th day of July, 1907.

J. C. Wood,
Judge of Probate of Lowndes County.

By Mr. Teasley:

S. 526. To regulate the fine and forfeiture fund of Montgomery county, and provide for the registration and payment of claims against said fund.

Local Legislation.

With notice and proof as follows:

The State of Alabama, }
 Montgomery County. }

Before me, H. N. Hughes, clerk of the city court of Montgomery, personally appeared Brame Hood, who is known to me, and who being by me first duly sworn, upon oath deposes and says that he is the advertising manager of The Montgomery Journal, which is a daily newspaper published in the city and county of Montgomery, Alabama, and that an advertisement in words and figures as follows:

NOTICE.

Notice is hereby given that a bill will be introduced at the adjourned session of the Legislature, which convenes in July substantially as follows:

A BILL

To be entitled an act, to regulate the fine and forfeiture fund of Montgomery county, and provide for the registration and payment of claims against said fund.

Section 1. Be it enacted by the Legislature of Alabama, That it shall be the duty of the board of revenue of Montgomery county within ten days after the passage of this act, to give notice by advertisement in some newspaper published in the city of Montgomery, and by posting notice at the court house door of said county for thirty days, notifying all persons holding claims, whether registered or unregistered, against the fine and forfeiture fund of said county, to register the same with the clerk of the board of revenue on or before the first Monday in October, 1907, and if not so registered, said claims shall be forever barred.

Sec. 2. All fines and forfeitures collected, the hire of county convicts, all moneys received from the State, or collected by the clerks of the city and county courts or other officer, on account of witness fees and solicitor's

fees shall be paid into and constitute the fine and forfeiture fund of said county.

Sec. 3. It shall be the duty of the clerk of said board to record in a well bound book all claims presented for registration, showing in each case the name of the owner of such claim, the date and amount of the same. Such book shall be a public record and shall be preserved by the board of revenue of said county.

Sec. 4. It shall be the duty of the board of revenue of said county on the first Monday in February, second Monday in July and the first Monday in October of each year to ascertain the total amount paid out of the general fund of said county after the passage of this act, on account of witness fees, officers' fees and the salary of the solicitor and assistant solicitor, up to said date, and order a warrant on the fine and forfeiture fund for the amount so paid out, and the clerk of said board shall place the same to the credit of the general fund of said county. The surplus remaining in the fine and forfeiture fund shall be applied to the payment of registered claims against said fund.

Sec. 5. It shall be the duty of the board of revenue of said county on the first Monday in April, September and December, of each year, if there are funds in said fine and forfeiture fund to advertise for three weeks previously, at the court house of said county, notifying all persons holding registered claims against said fund, that bids will be received until and on such Monday until 12 o'clock for the same, and shall state in said advertisement the amount of the fund on hand, as provided by section four of this act, and the amount of registered claims against the fund outstanding and unpaid. The money shall be awarded to the bidders who propose to accept payment in full of their claims against said fund at the highest rate of discount, and should there be two or more bidders at the same rate of discount, and the fund be insufficient to pay all of them, the money shall be awarded to such claims in the order of their registration, beginning with the oldest. When the biddings are closed, and the money awarded, the clerk of the said board of revenue shall issue warrants upon said fund to

the persons entitled thereto upon receipt and surrender of their claims, or a proper voucher if the claim is not paid in full.

Sec. 6. That after the passage of this act, all fines, forfeitures, hire of convict labor, or anything pertaining to said fine and forfeiture fund shall be paid only in ~~lawful currency of the United States and in nothing~~ else, and all moneys which accrue to said fund in said county, and which may be collected by any sheriff, clerk, judge of probate, justice of the peace, notary public, constable, coroner, or other officer shall be paid to the county treasurer and any officer who collects any such moneys and wilfully fails for more than thirty days to pay the same to the county treasurer, shall be guilty of a misdemeanor.

Sec. 7. The board of revenue of said county is hereby empowered and authorized to compromise and settle any and all registered claims against said fine and forfeiture fund, when in their judgment it is to the best interests of the county to do so.

Sec. 8. After all claims registered under the provisions of this act are paid in full, compromised or settled, the fine and forfeiture fund of said county shall be abolished and merged into the general fund.

Sec. 9. That all laws or parts of laws, general, special or local, in conflict with the provisions of this act be and the same are hereby repealed.

Charles F. Teasley.

Was published once a week for four consecutive weeks in said The Montgomery Journal, on to-wit, the 12th, 19th and 26th days of June, and the 3rd day of July 1907, during the present session of the Legislature and before the date of this affidavit.

Brame Hood.

Sworn to and subscribed before me this the 8th day of July, 1907.

H. N. Hughes,
Clerk of the City Court of Montgomery.

By Mr. Teasley :

S. 527. To provide for the payment of witnesses before the grand juries and State witnesses in all criminal cases, and fees of the sheriff of the county of Montgomery and the clerks of the city court of Montgomery and the county court in and for said county, in criminal cases where the State fails to convict, out of the general fund of Montgomery county. And provide compensation for the clerk of the board of Revenue for services required of him under this act.

Local Legislation.

With notice and proof as follows :

The State of Alabama, }
Montgomery County. }

Before me, H. N. Hughes, clerk of the city court of Montgomery, personally appeared Brame Hood, who is known to me, and who being by me first duly sworn, upon oath deposes and says that he is the advertising manager of The Montgomery Journal, which is a daily newspaper published in the city and county of Montgomery, Alabama, and that an advertisement in words and figures as follows :

NOTICE.

Notice is hereby given that a bill will be introduced at the adjourned session of the Legislature which convenes in July, substantially as follows :

A BILL

To be entitled an act to provide for the payment of witnesses before the grand juries and State witnesses in all criminal cases, and fees of the sheriff of the county of Montgomery and the clerks of the city court of Montgomery and the county court in and for said county, in criminal cases where the State fails to convict, out of the general fund of Montgomery county. And provide compensation for

clerk of the board of revenue for services required of him under this act.

Section 1. Be it enacted by the Legislature of Alabama, That after the passage of this act, witnesses before the grand juries and State witnesses in all criminal cases, and fees of the sheriff of the county of Montgomery, clerks of the city court in and for said county, in criminal cases where the State fails to convict, shall be paid out of the general fund of said county as herein-after provided.

Section 2. It shall be the duty of the clerk of the board of revenue of said county, on presentation of certificates issued after the passage of this act, to witnesses before grand juries and State witnesses in all criminal cases, as required by law, to draw his warrant on the county treasurer for the amount of such certificates. And it shall be the duty of the treasurer to pay the same out of the general fund of said county.

Section 3. After the adournment of the county court and the criminal division of the city court of Montgomery, the sheriff and clerks of said courts shall file with the board of revenue of said county a statement of all cases finally disposed of, where the State failed to convict, showing the items of cost due them, the name of the defendants and the charge against them. Said statement shall be sworn to by the officer making the same. If the board finds the account correct they shall order a warrant drawn on the county treasurer for the amount of such account. And it shall be the duty of the treasurer to pay the same out of the general fund of said county.

Section 4. The clerk of said board shall keep a separate warrant ledger in which he shall enter all warrants drawn on the county treasurer under the provisions of this act.

Section 5. The clerk of said board shall receive the sum of three hundred dollars per annum, payable monthly, in addition to his regular salary, for services rendered by him under the provisions of this act.

Section 6. For the purpose of ascertaining the amount of witness fees and fees of the sheriff and clerks

justly due by the county, the judges of the city court of Montgomery, and the county court in and for said county, shall have the power and authority upon motion made in term time, to retax the cost in all cases.

Section 7. All amounts paid out by the county under the provisions of this act shall be prior claims against the fine and forfeiture fund of said county.

Section 8. All laws and parts of laws, general, special or local, in conflict with the provisions of this act, be and the same are hereby repealed.

Charles B. Teasley.

Was published once a week for four consecutive weeks in said The Montgomery Journal, on to-wit, the 12th, 19th and 26th days of June, and the 3rd day of July, 1907, during the present session of the Legislature and before the date of this affidavit.

Brame Hood.

Sworn to and subscribed before me this the 8th day of July 1907.
H. N. Hughes,
Clerk of the City Court of Montgomery.

By Mr. McWhorter:

S. 528. To amend section 17 of an act entitled an act to provide a system of quarantine for this State, approved February 23, 1899.

Public Health.

By Mr. McWhorter:

S. 529. To amend sections 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 16, 17, and 18 of and to add sections 9 1-2, 16 1-2, 17 1-2, 24, and 25 to, an act entitled an act to amend, reconstruct, and provide for the enforcement of the laws relating to the public health, approved Oct. 9, 1903.

Public Health.

By Mr. McWhorter:

S. 530. To repeal an act entitled an act to abolish the county court of Marion county, approved Feb. 1, 1895, and to provide for a county court hereafter in Marion county, Alabama, under the code as heretofore.

Local Legislation.

With notice and proof as follows:

NOTICE.

The State of Alabama, }
Marion County. }

Notice is hereby given of my intention to apply to the Legislature of Alabama, session, 1907, for a law to repeal an act entitled, "an act to abolish the county court of Marion county," approved February 1st, 1895.

This, 3rd day of December, 1906.

R. W. Quinn.

The State of Alabama, }
Marion County. }

Before me, Mack Pearce, Judge of Probate in and for said State and county, this day personally appeared G. J. Wilson, who, being by me first duly and legally sworn, deposes and says that he is editor and publisher of the Marion County News, a weekly newspaper published at Hamilton, in said Marion county, Alabama, and that a certain notice, a true and correct copy of which is hereto attached, was inserted in said Marion County News, and was published once a week for four consecutive weeks in said newspaper before the making of this affidavit.

G. J. Wilson, Pub. News.

Sworn to and subscribed to before me this, the 3rd day of January, A. D., 1907.

Mack Pearce,
Judge of Probate.

By Mr. Horton:

S. 531. To provide for proper sanitary conditions in hotels and restaurants in the State.

Public Health.

By Mr. Hamburger:

S. 532. To make the last half of each Saturday a legal holiday.

Public Health.

By Mr. Hamburger:

S. 533. To amend "an act to provide for the settlement, adjustment and refunding of the bonded indebtedness of municipal corporations."

Municipalities and Municipal Organizations.

By Mr. Hamburger:

S. 534. To regulate the public oyster reefs and beds in the waters of Alabama; to provide for the establishment of a board of oyster commissioners, to prescribe their duties, and provide for their compensation; to regulate the manner of taking and catching oysters on such public reefs and private bedding grounds, and to prescribe the measure of oysters in the shell; to prescribe license fees for oyster catchers; and for boats engaged in taking and catching oysters; to fix and prescribe a tax upon oysters canned and packed in this State; to provide for the protection and patrol of oyster grounds; to fix penalties for the violation of any of the provisions of this act; and to repeal section 3160 of the code of Alabama, and to repeal section 3159 of the code as amended by the act approved October 3, 1903.

Military.

By Mr. Bayles:

S. 535. To declare the charters of all incorporated cities and towns which have not exercised the functions or discharged the duties of municipal corporation for the last past twenty years forfeited and vesting the title to all streets, alleys, public grounds and other lands in such city or town in the adjacent and abutting owner or owners.

Judiciary.

By Mr. Miller:

S. 536. To encourage the development of the various unused water powers in this State, by exemptions from taxation for a period of ten years.

Finance and Taxation.

By Mr. Miller:

S. 537. To encourage the manufacture of calcium cyanamid (lime nitrogen) in this State, by exemptions from taxation for a period of ten years.

Finance and Taxation.

By Mr. Wilson :

S. 538. To prohibit the having of pay days and the running of pay trains in the State of Alabama and to provide a punishment therefor.

Judiciary.

By Mr. Forrester :

S. 539. To prohibit the sale of spirituous, vinous or malt liquors in prohibition counties in the State of Alabama.

Temperance.

By Mr. Miller :

S. 540. To appropriate twenty-five hundred dollars (\$2,500.00) for the incidental and contingent expenses to be disbursed on the order of the Governor.

Finance and Taxation.

By Mr. Miller :

S. 541. To appropriate the sum of fifty thousand dollars to defray the expenses incurred and to be incurred in connection with the railroad rate litigation now pending, or which may hereafter be instituted, between the various railroads of Alabama and the Railroad Commission.

Finance and Taxation.

By Mr. Spragins :

S. 542. To provide for the construction, repairing, working and maintaining the public roads and bridges in Madison county.

Local Legislation.

With notice and proof as follows:

The State of Alabama, }
Madison County. }

Before me, Rachel Tomlinson, natory public in and for said county and State, this day personally appeared R. L. O'Neal, who, being duly sworn, deposes and says that the following notice of intention to apply for a local law, to-wit:

NOTICE.

Notice is hereby given, as required by section 106 of the Constitution of the State of Alabama, that application will be made to the Legislature of Alabama at its session beginning January 8, 1907, for the passage of substantially the following bill:

A BILL

To be entitled an act to provide for the construction, repairing, working and maintaining the public roads and bridges in Madison county:

Be it enacted by the Legislature of Alabama:

Section 1. The probate judge of Madison county shall, as soon as practicable after the approval of this act, and every two years thereafter, except as hereinafter provided, appoint a supervisor of public roads for said county, whose term of office shall be two years; provided, however, that the supervisor first appointed after the approval of this act, shall hold office only until the first day of January, 1909, at which time his successor shall be appointed for a full term of two years, and every two years thereafter a supervisor shall be appointed. Such supervisor is subject to removal by said judge for drunkenness, incompetency, neglect of duty, or for any other cause to be determined by said judge. Such supervisor may make the bond required of him in section 2 of this act, in a solvent guaranty company to be approved by such judge.

Section 2. That such supervisor shall before entering upon the duties of his office, qualify by taking and filing the statutory oath of office and giving bond conditioned for the faithful performance of the duties of such office, payable to Madison county, in such sum as may be prescribed by said court, not less than one thousand dollars, with sureties thereon to be approved by the probate judge of said county, which oath and bond shall be recorded as other official bonds required to be recorded, in the office of the judge of probate.

Section 3. That the supervisor of public roads shall receive a salary for each year's service, to be determined by the judge of probate before he enters upon the duties of his office to be paid to him in monthly installments, at the end of each month, by warrant to be drawn by the judge of probate on the road fund of the county.

Section 4. That said supervisor shall have control ~~and supervision of all the public roads of said county as to the manner of working, repairing and maintaining the same, as to changes of old roads and establishing of new roads when ordered established by the commissioners' court, and of the execution of any contract that may be made for the working and repairing roads, or of repairing and building bridges, culverts, or causeways;~~ provided, that at all times the said supervisor shall be under the direction and control of the commissioners' court of said county.

Section 5. That the supervisor shall have authority, and it shall be his duty, immediately after entering upon the duties of his office, to appoint a competent person in each precinct of the county as enumerator of road hands for such precinct, which said enumerator shall make oath in writing that he will faithfully discharge the duties of said office, which said oath may be administered by said supervisor, and when so taken shall be filed in the office of the judge of probate of said county, and there preserved for public examination.

Section 6. That as soon as the enumerator and list of road hands hereinafter provided for shall have been made and filed in the office of the judge of probate, it shall be the duty of such supervisor to divide the public roads of each precinct into sections of such length, as he may determine, numbering consecutively the said sections, and he shall then appoint such overseers as he may deem necessary, for a term of two years, for the efficient and proper working and maintaining of the roads in such precinct, and assign such section or sections to each overseer as he may determine, and to each overseer he shall apportion such road hands for each section as to the amount and character of work to be done on such section may, in his judgment, be necessary,

and he shall deliver a list of such road hands to such overseer and keep a duplicate list for filing in the office of said supervisor, and to there be for ready reference.

Section 7. That it shall be the duty of said supervisor to cause each overseer to take and subscribe in writing an oath that he will faithfully perform the duties of overseer, which oath may be administered by said supervisor, and shall be filed in the office of the judge of probate. To each overseer so appointed the said supervisor shall deliver a commission setting forth the section or sections over which he has been appointed, together with the grade of the road or roads of each section; provided, that when a vacancy occurs in the office of overseer, from whatever cause, the same shall be filled by said supervisor, and provided further, that said supervisor may at any time, remove an overseer for neglect, failure or refusal to perform his duties or for drunkenness while discharging the duties of his office.

Section 8. That said supervisor shall personally inspect all the public roads in the county at least four times each year. and in making such inspection, when practicable, shall be accompanied by the overseer of the section, and he shall make such suggestions and give such directions as to changing road beds, establishing, repairing, improving and working the public roads and in building, repairing and maintaining bridges and culverts as he may deem proper. He shall make full reports of the condition of the public roads, and the manner in which any contracts have been or are being executed to the court of county commissioners at the February, May, August and November terms of said court in each year, and such special reports as said court may call for at other times.

Section 9. That the enumerator hereinbefore provided for shall, immediately after the first day of January of each year, make a thorough and complete canvass of his precinct, taking down the names and ages of all male inhabitants of the precinct over 18 and under 45 years of age and the names of all persons owning or controlling horses, mules or oxen, wagons and scrapes residing in said precinct and entering opposite each

name so enrolled the name or location of the farm on which he resides, or the location of the house in which he dwells and the name of the public road nearest to his dwelling place and the number of horses, mules, oxen, wagons and scrapes that he owns or controls. The said enrollment book shall be written in a plain, legible manner, with ink, and upon the completion of the enrollment be at once filed in the office of the probate judge, or delivered to the supervisor.

Section 10. That said enumerator shall have authority to administer oaths and in making his enrollment of road hands, or at any time when it may be necessary to list persons for road service, if the person proposed to be listed shall claim to be over 45 or under 18 years of age, the said enumerator may take the affidavit of such person or any person so proposed to be listed, which affidavit shall be in writing and subscribed by the affiant and the same shall be preserved and filed by such enumerator in the office of the probate judge, except in cases where he has cause to believe that perjury has been committed he shall return such affidavit to the next grand jury; provided, that in listing persons for road duty no person who shall have a certificate of exemption from the county medical board, shall be listed for road service.

Section 11. That the enumerator herein provided for shall be exempt from further road service during the year he so serves, and all his stock, wagons, scrapes and implements, shall be exempt for two years from road duty; provided, that such enumerator shall hold office at the will of the supervisor, and may be removed by him at any time for neglect of or failure to perform his duties, or for partiality or favoritism shown therein, and upon removal shall be subject to enrollment as a road hand.

Section 12. That on the appointment of overseers the supervisor is not restricted to persons who are subject to road duty under this act, and it shall be the duty of each overseer to make quarterly reports to the supervisor of any and all moneys received by him from hands in commutation of labor or of persons owning stock the

name of the person from whom received, and when and for what paid, and shall pay over the same to the supervisor, taking his receipt therefor, and said supervisor shall pay the same to the county treasurer to be credited by him on the books of the road fund of the county; and it shall be the duty of the commissioners' court as far as practicable, to appropriate an amount at least equal to such funds for the working or maintenance of the respective roads to which the hands paying the same were apportioned.

Any overseer appropriating for his own use any money paid to him in commutation of labor or of stock shall be guilty of embezzlement and shall be liable to criminal prosecution therefor as provided by law in such cases.

Section 13. That all persons subject to road duty under the general laws of the State shall be required to work upon the public roads of said county for not less than eight days in each year, or instead thereof, shall pay the sum of three dollars annually or may pay a part in money and a part in labor at fifty cents per day, to be collected as hereinafter provided.

Section 14. That whenever an overseer shall determine that a road needs repairing or working, or when the supervisor shall so direct, he shall call out such hands as have been listed to him as he may deem sufficient in number to work or repair said road, but may take instead thereof fifty cents per day for each day's work for which each hand is called at the option of the hand, and if any hand shall fail or refuse to work or pay fifty cents for each day he shall fail or refuse to work, it shall be the duty of the overseer, after five days from the warning to work was given, to return each and every hand so failing or refusing, to a justice of the peace of the county, and such road hand shall be proceeded against as a road defaulter under the general road laws of the State; provided, that the overseer may excuse defaulters on showing good excuse on oath, which may be administered by the overseer, within five days after default. Any person making a false affidavit to the overseer to get excused shall be guilty of perjury.

Section 15. That a day's work for road hands under this act shall be ten hours of actual service and the warning of hands shall be made in accordance with the general laws of the State, but no farm hand or person engaged in farming shall be worked except between July 15 and September 15, except in opening new roads as ~~now provided by law or, for the removal of an obstruction or other casualty that prevents travel. No hand~~ shall be required to go more than six miles from his residence in working the public roads.

Section 16. That when a road hand listed to an overseer, who has performed part of his road service, removes from a precinct, it shall be the duty of the overseer to furnish him on demand a written certificate showing the time he has served during the calendar year, which certificate shall be an exemption to such hand to the extent of the time worked from road service in any other precinct in the county to which he may remove.

Section 17. The supervisor shall let all repairing, keeping in order, building or constructing of all roads to the lowest responsible bidder, upon such notice as the commissioners' court may prescribe, all work to be done in accordance with full and accurate specifications to be furnished by the supervisor. Each contractor must give bond to be approved by the judge of probate for a faithful performance of his contract, in double the amount he is to be paid for the work undertaken by him. Every contractor shall be entitled to the services of the hands, animals, wagons and other implements apportioned to the road or roads embraced in his contract, and all monies that may be paid by such hand in lieu of work, or by owners of such animals, wagons and other implements in lieu of the services thereof, or such proportion thereof as said court may think just and proper, in case there is more than one contractor for such road or roads; and it shall be the duty of the supervisor to furnish such contractor or contractors with a list of such hands, animals, wagons and other implements who shall have full power to summon the same for such work in the manner provided by law.

Section 18. Whenever a new pike or gravel road is built a dirt road of equal dimensions and flush therewith shall also be constructed, if practicable.

Section 19. Persons hauling logs, lumber or timber over the roads of said county, except persons hauling wood for fuel, shall pay a license of five dollars per month for each two horse wagon, and ten dollars per month for each four horse wagon used for such hauling; such license to be issued by the judge of probate, the proceeds thereof to be paid into the road fund of the county. For issuing each license the judge shall be entitled to a fee of twenty-five cents to be paid by the party procuring the license.

It shall be unlawful to do the hauling herein forbidden without first procuring such license.

Any person violating the provisions of this section shall be guilty of a misdemeanor, and on conviction, fined not less than ten nor more than fifty dollars, to be paid in lawful money, which fine when collected shall be paid over to the road supervisor as part of the road fund.

Section 20. That the overseers of roads appointed under this act shall be exempt from road duty, immediately after he shall serve as overseer, for the same time that they may serve as such overseer, and all horses, mules, oxen, wagons and implements owned by him shall be exempt from road service during the time he serves as such overseer.

Section 21. That all male inhabitants of the county within the ages of twenty-one and sixty-five years are subject to road duty under this act as enumerators or overseers.

Section 22. That all work horses, mules, oxen, wagons, scrapes and other implements in said county are subject to road duty under this act and all owners and controllers of such horses, oxen, mules, wagons, scrapes and other implements shall be required to furnish to work on the public roads of said county, a horse, mule, ox, wagon, scrapes or other implement, together with harness, plow upon two days' notice by the overseer, for

five days during each year, and any person or persons who shall fail or refuse to furnish same to work said roads after such notice by the overseer shall be immediately returned by such overseer to some justice of the peace of the county and on conviction by such justice of the peace shall be fined not less than one dollar nor more than ten dollars, to be paid in lawful money as part of the road fund; provided, that any owner or controller of such horses, oxen, mules, wagon or scrapes may be exempt any and all of them by the payment to the overseer of the sum of fifty cents for each horse, ox and mule, 50 cents for a one-horse wagon, \$1 for a two-horse wagon, \$2 for a four-horse wagon (except that all wagons with tires four inches wide or more shall be exempt) that he shall own or control, which money shall be paid by the overseer to the supervisor of roads to be paid by him to the county treasurer to the credit of the county road fund.

Provided further that one horse, ox or mule belonging to a practicing physician or a minister of the gospel be exempt.

Section 23. That whenever it can be done, it is the duty of the supervisor to have the roads worked by the overseers at such time as the implements bought and furnished by the county may be used first by one overseer and then by another, so that such implements may be used by all the overseers as much as possible.

Section 24. That any overseer who fails to perform his duty as such under the provisions of this act, shall be liable to prosecution, and fined on conviction not less than \$10.00 nor more than \$50.00.

Section 25. That the supervisor of roads shall be under the control and direction of the commissioners' court of the county, who shall require him to devote his entire time to the public roads and bridges of the county, and he shall be furnished with all necessary stationery and blanks for the use of his office, and that he shall keep such books and accounts, lists of overseers, enumerators and road hands as to show all transactions pertaining to the establishing, working, repairing and maintaining of the public roads and bridges and shall

be provided with a desk in the court house in which to keep his books and other papers pertaining to his office.

Section 26. It shall be the duty of every person, firm or corporation employing hands, to furnish the supervisor upon his application, a list of hands in their employ between the ages of 18 and 45, and failing so to do, such person, firm or corporation shall be guilty of a misdemeanor, and on conviction, fined not less than ten nor more than fifty dollars.

Section 27. That it shall be the duty of the court of county commissioners of Madison county to have this act printed for the use of said court and other courts of the county and for the officers herein named.

Section 28. That the court of county commissioners shall have full power and authority to make and establish such rules and regulations, not in conflict with this act, as it may deem necessary for the proper establishing, working, maintaining and repairing the public roads, bridges and culverts of said county and for requiring all persons charged with any duty, power or liability under this act, a rigid performance thereof.

Justices of the peace shall have jurisdiction of the offenses herein created for violations of the provisions of this act, except felonies.

Section 29. This act shall take effect at once and all laws and parts of laws in conflict with any of its provisions are repealed.

Was published once a week for four consecutive weeks, upon the following dates, to-wit: January 2, 9, 16, 23, 1907, in The Weekly Mercury, a newspaper published in Madison county, Alabama, and that affiant is the publisher and proprietor of said newspaper.

R. L. O'Neal.

Sworn to and subscribed before me this 8th day of July, 1907.

Rachel Tomlinson,
Notary Public.

By Mr. Gunn :

S. 543. To ratify, confirm and legalize the orders, acts and proceedings of the commissioners' court of Choctaw county, in issuing to the contractors for building the county court house, three principal warrants and six subsidiary warrants, representing a legal rate of interest from January 1, 1907, on said three principal warrants, in settlement of the costs of constructing county court house, and to authorize the payment of said warrants.

Local Legislation.

With notice and proof as follows:

NOTICE OF PROPOSED BILL.

There will be introduced in the Legislature at its session in July a bill to ratify, confirm and legalize the orders, acts and proceedings of the commissioners' court of Choctaw county in issuing to the contractors for the building of the court house three principal warrants of equal amounts and six subsidiary warrants representing legal rate of interest from February 1st, 1907, on said principal warrants in settlement of a part of the cost of constructing the court house; also to ratify by law and confirm the orders, acts and proceedings of the commissioners' court, the probate judge and treasurer in issuing, paying and cancelling certain warrants issued to said contractors, and in issuing to said contractors five principal warrants with interest coupons attached.

The State of Alabama, }
County of Choctaw. }

Before me, W. H. Lindsey, a notary public, for said county, personally appeared W. L. Gray, who being by me duly sworn, deposes and says, that the attached notice of a proposed local law, was published in the Choctaw Advocate, a newspaper of which he is editor, once a week, for four successive weeks next prior to the 9th day of July, A. D., 1907.

W. L. Gray,
Editor Choctaw Advocate.

Sworn to and subscribed before me, this the 8th day
of July, 1907.

W. H. Lindsey,
Notary Public, Choctaw County.

By Mr. Blackmon:

S. 544. To repeal section five of an act to further
amend the revenue laws of the State of Alabama, (No.
345, H. 610) approved March 7, 1907.

Finance and Taxation.

By Mr. Gardner:

S. 545. To repeal an act entitled an act to establish
an immigration board for the State of Alabama, to de-
fine its duties, to appropriate money to pay the expense
for carrying out its provision, to provide for the ap-
pointment of an immigration commissioner, to define
his duties and to fix his compensation.

Finance and Taxation.

By Mr. Leith:

S. 546. To amend sections 1, 2, 4, 6, 8, 9, 13, 14 and
15 of an act entitled "An act to regulate the registra-
tion, branding, sale, tagging and analysis of commer-
cial fertilizers, acid phosphates, fertilizer materials and
chemicals in the State of Alabama," approved March 3,
1903.

Revision of Laws.

By Mr. Leith:

S. 547. To appropriate the sum of \$537.72 to pay the
expenses of the fertilizer and cotton seed oil mill inves-
tigating committee and for the disbursement of the
same.

Finance and Taxation.

By Mr. King:

S. 548. For the relief of Mrs. M. J. Smyley of Ma-
rengo county, the widow of a confederate soldier.

Finance and Taxation.

With notice and proof as follows:

NOTICE.

Notice is hereby given that application will be made to the Legislature of Alabama for the relief of Mrs. M. J. Smyley.

The State of Alabama, }
 Marengo County. }

Before me, G. E. Small, justice of the peace, in and for the county and State aforesaid, personally appeared R. H. Robertson, who being by me first duly sworn, deposes and says:

1st. That the Marengo Democrat is a newspaper published in Marengo county, Alabama.

2nd. That the attached notice was published in the said paper for four consecutive weeks next preceding the 5th day of March, by publishing the same once each week in the said paper.

R. H. Robertson.

Sworn to and subscribed before me this the 5th day of March, 1907.

G. E. Small,
 Justice of the Peace.

REPORTS OF COMMITTEES.

Mr. Lusk, chairman of the standing committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:

S. 390. To provide for the management, control, preservation and disposition of the property of foreign corporations within the State, where said corporations forfeit their right to do business in the State by violation of the laws of Alabama or failing to comply therewith.

Also,

S. 419. To amend section 1134 of the Code of 1896.

Also,

S. 439. To appropriate the sum of thirty (\$30.00) dollars for the relief of C. R. Gibson, as a confederate pensioner, for the year 1906, his name having been erroneously omitted from the pension roll as being dead and to reinstate him upon the pension roll of Pike county as a pensioner under the act for the relief of needy confederate soldiers and their widows, approved Feby. 10th, 1899.

Also,

S. 440. To appropriate the sum of thirty (\$30.00) dollars for the relief of I. Moody, as a confederate pensioner, for the year 1906, his name having been erroneously omitted from the pension roll, and to reinstate him upon the pension roll of Pike county as a pensioner under the act for the relief of needy confederate soldiers and their widows, approved Feby. 10, 1899.

Also,

S. 467. To prescribe rules of practice and procedure in the circuit court of Montgomery county and to define the powers of the judge of said court in reference thereto.

Also, with amendment:

S. 483. To define the legal status of mental and physical suffering, and liability therefor, in Alabama.

Mr. Bayles, chairman of the standing committee on Revision of Laws, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:

S. 450. To refund to Selma mortgage tax paid by it on the deed of trust made by it to Chicago Title & Trust Company to secure the Selma Water Works bonds.

Also,

S. 448. To repeal an act entitled an act "To define who are delinquent children and to provide for their arrest and care and reformation, approved March 12, 1907," in so far as it applies to Dallas county.

Also,

S. 500. To fix the time of holding the courts in the third judicial circuit of Alabama.

Also,

S. 501. To repeal an act entitled an act to regulate the trial of misdemeanors in Madison county, approved February 23, 1899, Acts 1898-99, page 1553, and to transfer all causes and proceedings pending in the county court of Madison county as regulated or established by said act, and all dockets and records thereof, to the law and equity court of Madison county, and to give such court jurisdiction of such causes and proceedings, and full power and authority thereover.

Also,

S. 455. (With amendment.) To fix and define the liability of persons, firms and corporations engaged in the transmission of telephone or telegraph messages in this State, for the negligent or willful omission to transmit and deliver or to transmit or deliver any message accepted by any such persons, firms or corporations.

Also,

S. 458. To create the office of court stenographer for Dallas county; to provide for his appointment and compensation; to prescribe his powers and duties; and to provide for the taxing and collection and disposal of stenographer's fees in the courts of record of Dallas county.

Also,

S. 498. To amend section 12 of an act entitled an act to establish, maintain, regulate and make efficient a dispensary for Madison county, located in the city of Huntsville, approved February, 1907, and to add section 13 1-2 thereto.

Also,

S. 502. To repeal all statutes and laws establishing county courts, and proceedings therein, with monthly terms, for the trial of misdemeanors so far as the county of Madison is concerned.

Also,

S. 429. (With amendment.) To prohibit judges of probate and other persons from cancelling mortgages, deeds of trust, or other instruments of like character, conveying real estate in this State, except when thereunto duly authorized by written power of attorney of

the mortgagee, or his assignee or transferee, and to require such power of attorney to be recorded in the probate office where such mortgages, deeds of trust or other instruments of like character are recorded, and to provide fees therefor.

Also,

S. 497. To provide that no license or tax of any character shall be required by State, county or municipality from the Tennessee Valley Fair Association or from those who conduct business under contract with it on its grounds during the time its annual fair is actually in progress.

Also,

S. 449. (With amendment.) To require the governor to send a State examiner of public accounts or some other expert accountant to audit and examine into the accounts, and operations of all incorporated towns and cities in Dallas county, operating public utilities.

Also,

S. 453. (With amendment.) To exempt from taxation for ten years farm wagons with wheel tires which are at least six inches wide.

Also,

S. 445. To fix and provide for the salary of the judge of the city court of Selma.

Also,

S. 495. To create a board of education for the Huntsville school district of Madison county, Alabama, to provide for the election of their successors, to define the powers and duties of said board and to provide for the management, support and maintenance of the public schools of said district.

Also,

S. 493. To amend sections 7, 8, 14, 21, 24, 27 and 32 of an act entitled an act to establish a law and equity court for Madison county, approved February 26, 1907.

Also,

S. 494. To fix the times and places of holding the chancery court in the eighth district of the northern division composed of the county of Madison.

Mr. Miller, chairman of the standing committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:

H. 827. For the relief of Mrs. Leanna J. Humble, a resident of DeKalb county, indigent widow of David Humble, who was a confederate soldier, and a citizen of DeKalb county, Alabama, at the time of his death, making her a confederate pensioner under the act of the General Assembly of Alabama, approved the 10th day of Feb., 1899, and entitled "An act for the relief of needy confederate soldiers and sailors, resident citizens of Alabama, and their widows."

Also,

S. 466. To provide for incorporating State organizations, associations or bodies of secret societies, organizations or orders and for the protection of the corporate names thereof.

Also,

S. 444. To appropriate a sum of money to pay for the stationery and stationery supplies used by the Legislature of Alabama during this present session.

Also,

S. 465. To receive and appropriate the moneys granted to the State of Alabama by an act of Congress approved March 4, 1907, at 9:43 a. m., entitled "An act making appropriations for the department of agriculture for the fiscal year ending June 30, 1908."

Also,

S. 475. To fix and provide for the salary of the judge of the thirteenth judicial circuit of Alabama.

Also,

S. 474. To fix and provide for the salary of the chancellor of the southwestern chancery division of the State of Alabama.

Also,

S. 401. For the relief of J. L. Smith, an ex-confederate soldier, being a resident of Randolph county, Ala. Whereas, J. L. Smith has long been on the pension rolls of Randolph county, Alabama, but for the year of 1906 his name was dropped from said rolls through mistake.

Mr. Hamner, chairman of the standing committee on Banking and Insurance, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:

S. 268. To amend sections 3093, 3094, 3095, 3098, 3099, 3102, 3105, 3106 and 3108 of the Code of Alabama, 1896.

Also,

S. 269. To amend sections 2615, 2616, 2617 and 2618 of the Code of Alabama of 1896.

Also,

S. 270. (With amendment.) To amend section one (1) and four (4) of an act entitled an act to amend sections 1116 (1547), 1117 (1548), 1118 (1549), 1119 (1550) and 1120 (1551) of the Code of Alabama of 1896, approved February 28, 1903.

Mr. Merritt, chairman of the standing committee on Local Legislation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:

S. 432. Providing for the more efficient working of the public roads in Wilcox county; to provide for the revenues for the same, including vehicle license; to divide the county into five road districts; and to appoint and elect supervisors and overseers for the same; to provide for the appointment of one civil engineer; to provide for a commutation of \$7.50 per capita in lieu of work and such other details as may be necessary for the working of the public roads in Wilcox county.

Also,

S. 472. To amend section two (2) of an act entitled "An act to amend an act entitled 'an act to create the office of revenue constable for Mobile county, and to prescribe his duties,'" approved Feb. 24th, 1887.

Also,

S. 407. To vacate the dedication of the following alleys and part of a street in the Elyton Land Company's survey in the city of Birmingham, Alabama: The alley bisecting block 94 and the alley bisecting block 95 and that part of Fifteenth street lying between the north

line of First avenue and the south line of Second avenue; and to provide compensation for any property owner injured thereby.

Also,

S. 421. To prohibit the operation of traction engines on the public roads of Bibb county, Alabama.

Also,

~~S. 336. To repeal an act approved December 12, 1900~~
entitled an act to establish, maintain and regulate a dispensary in the town of Roanoke, Randolph county, Alabama, for the sale of spirituous, vinous or malt liquors, ciders and other intoxicants and to establish a board of commissioners for the management of said dispensary and for other purposes.

Also,

S. 395. To amend an act entitled "An act to establish a charter for the town of Wedowee, Randolph county, Alabama," approved February 8, 1901.

Also,

S. 400. To repeal an act approved February 13th, 1897, entitled an act to regulate the sale of spirituous, vinous or malt liquors in the corporate limits of the town of Roanoke, Randolph county, Alabama.

Also,

S. 260. To detach the county of Winston from the northwestern chancery division of Alabama; to confer equity jurisdiction on the circuit court of said county; to provide for the appointment of a register for the equity side of said circuit court.

Also,

S. 411. To divide the county of Lowndes into five districts and to provide for the election of a member of the board of revenue from each district.

Also,

S. 484. To fix the time of holding the circuit courts in the counties of Walker and Winston, composing the fourteenth judicial circuit of the State of Alabama.

Also,

S. 412. To provide for the compensation of the deputy solicitor of Lowndes county.

Also,

S. 482. To regulate the practice in the circuit court of Walker county, Alabama; to provide rules of practice for said court; and to provide for drawing juries for said court.

Also,

S. 490. To vacate and annul the dedication of the following highways and parts of highways, situated in Jefferson county, Alabama, to-wit: All that part of the alleys lying and running through blocks 83, 122, 126 and 168 lying within one hundred feet of Fourteenth street and the continuation thereof, the said blocks being described according to the survey, map and plan of the city of Bessemer, by the Bessemer Land & Improvement Company, and situated in Bessemer, Jefferson county, Alabama.

Also all that part of the alley in block B of Hall's addition to Bessemer, map and plan and survey of which is recorded in the office of the judge of probate of Jefferson county, Alabama, in map book 3 at page 23, which lies within two hundred feet of the continuation of Fourteenth street along the northwest boundary of said block, and situated in Jefferson county, Alabama.

Also all that part of Exeter avenue lying within one hundred feet of Fourteenth street in the city of Bessemer, Jefferson county, Alabama.

Also all that part of Seventeenth street lying between First avenue and Alabama avenue in the city of Bessemer, Jefferson county, Alabama.

Also all the alleys lying within and running through blocks two hundred and one and two hundred and two in the city of Bessemer, Jefferson county, Alabama.

Also,

S. 487. To authorize incorporated cities and towns in this State which have within their corporate limits ancient, private or family cemeteries or burial grounds to contract for their care and maintenance.

Also,

S. 479. To provide for the more efficient working of the public roads in Mobile county, and certain streets

and public thoroughfares in the city of Mobile; provide for the control, working, building, maintenance and improvement of the same by the board of revenue and road commissioners of Mobile county, to prescribe the duties and fix the authority of said board, provide for the levy and collection of a road tax, and the method of disbursing moneys necessary to carry out the provisions of this act, and provide penalties for violations of its provisions.

Also,

S. 379. To fix the boundary line between the counties of Randolph and Cleburne and to define the same.

Also,

S. 492. To vacate and annul the dedication of the following highways and parts of highways, situated in Smithfield, Jefferson county, Alabama, according to the plan and survey of Smithfield by Dr. Joseph R. Smith, Sr., to-wit: All that part of Thomas street lying between Valley Creek canal and Salley avenue; all of Joseph street lying between Valley Creek canal and Irene avenue; all of Mortimer street lying between Valley Creek canal and Agnes avenue; all of Agnes avenue lying between Valley Creek canal and Mortimer street.

Also,

S. 418. To fix the compensation to be allowed the sheriff and clerk of the circuit court of Conecuh county, Alabama, for all official duties for the compensation of which no express provision is made by law.

Also,

S. 415. To repeal an act entitled "An act to authorize the commissioners' court of Butler county to order elections for the establishment of districts in which stock shall be prevented from running at large.

Also,

S. 443. To prohibit the sale or otherwise disposing of spirituous, vinous or malt liquors, intoxicating drinks, bitters or beverages, in Dale county, Alabama.

Also,

S. 392. To authorize Talladega county, Alabama, to build and construct macadam, chert and gravel public roads and the necessary bridges, culverts and drain-

ways therefor and to issue bonds of said county to aid in the construction and building thereof.

Also,

S. 485. To amend section (6) six, of an act entitled an act to create the office of associate judge of the city court of Gadsden; to provide for the qualification, election and appointment of such judge; to fix the term of office; to define his powers and duties and to provide for the payment of his salary.

Also,

S. 488. To increase the salary of the solicitor of the county of Etowah, as now fixed by law, and to fix the same, and to provide for its payment.

Also,

S. 477. To provide for the compensation of the solicitor for Mobile county, to be elected in 1910 and his successors in office.

Also,

S. 441. To amend section one of an act "To prohibit, regulate and restrict the sale or other disposition of intoxicating liquors, drinks or beverages within the State of Alabama by providing for elections in the various counties of the State to determine whether the sale or beverages shall be so prohibited, regulated and restricted."

Also,

S. 420. To further regulate the working of the public roads of Bibb county, Alabama.

Also,

S. 393. To authorize an election in the county of Talladega, to determine whether or not bonds in the sum of two hundred and fifty thousand dollars shall be issued by said county for the purpose of building macadam, chert and gravel public roads therein.

Also,

S. 491. To vacate and annul the dedication of the following highways and parts of highways situated in Birmingham, Jefferson county, Alabama, to-wit: All of Morris street from its beginning at Eighth street to its end abutting the property heretofore known as the Owen property; all of Eighth street from First avenue,

north, to the right of way of the Alabama Great Southern railroad company; all of Minnie street from First avenue, north, to the end thereof abutting the property of the Tennessee Coal, Iron & Railroad Company.

Also,

S. 489. To vacate and annul the dedication of the following highways and parts of highways, situated in Jefferson county, Alabama, to-wit:

All of Sadler avenue; the South half of Lucian avenue from the center of Emma street to center of Telula street; all of Lucian avenue from center of Telula street to eastern boundary of Ella street; all of Ella street lying south of a continuation of the south line of the alley running easterly and westerly through block 25 and north of center of Valley Creek Canal; all of Telula street lying south of center of Lucian avenue and north of center of Valley Creek Canal; the east half of Telula street lying between a continuation of the south line of the alley running easterly and westerly through block twenty-five and center of Lucian avenue; all of Emma street lying south of a continuation of the south line of the alley running easterly and westerly through block twenty-eight, and north of the center of Valley Creek Canal; the east half of Emma street lying between the continuation of the South line of the alley running easterly and westerly through block twenty-eight and the center of Lucian avenue; and all the alleys in or through blocks twenty-nine, thirty and thirty-one; all being located according to the survey map and plan of Owenton a map of which is recorded in Map Book two at page twenty-six, in the office of the probate judge of Jefferson county, Alabama.

Also,

S. 473. To provide for an official shorthand reporter for the thirteenth judicial circuit; to prescribe the qualifications, term of office and duties of such reporter, and to fix his compensation and fees.

Also,

S. 480. (With amendment.) To establish the law and equity court of Mobile.

Also,

S. 385. To authorize the county of Limestone to construct public roads and to provide the method and manner of their construction and building.

Also,

S. 478. To provide for the election of a harbor master and three deputy harbor masters and to regulate their duties and provide for their compensation.

Also,

H. 828. To alter and rearrange the boundaries of the town of Newberne in Hale county, Alabama.

Also,

H. 829. To further regulate the fine and forfeiture fund of Hale county, Alabama.

Also,

H. 757. To legalize and authorize the payment of certain warrants inadvertently and improperly issued by the commissioners' court of Monroe county against the fine and forfeiture fund of said county.

Also,

H. 176. To regulate the payment of claims against the fine and forfeiture fund of Talladega county.

Also,

H. 761. To extend the police power and jurisdiction of the city of Sylacauga over and about the property and premises of the Central Mills, a corporation under the laws of Alabama, in the vicinity of said city, in the county of Talladega, and to empower the corporate authorities to exercise police jurisdiction over the said Central Mills property and within the limits of one hundred and fifty feet from the boundary lines thereof.

Mr. Reynolds, chairman of the standing committee on Education, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:

H. 189. To fix the minimum length of the term of the public schools in the State of Alabama.

Also,

S. 426. To amend section 8 of an act entitled "To provide for the redistricting of the public schools of the

State and for the management and control of same," approved Sept. 30, 1903.

Also,

S. 384. To provide for the establishment of high schools in this State, and to make appropriations for said schools.

Mr. Overton, chairman of the standing committee on Commerce and Common Carriers, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:

S. 398. To further prescribe the powers of the railroad commission of Alabama, and to authorize it to change any classification of railroads or of any articles of freight, or any rates or charges for the transportation of freight or passengers which have been, or which may hereafter be, prescribed by statute, or any prevailing rates or charges for such transportation which have been, or which may hereafter be, by statute made the maximum rates.

Also,

S. 399. (With amendment.) To amend sections 2, 3 and 4 of an act entitled "An act to regulate railroads and other common carriers in this State, to secure reasonable rates and adequate service and prevent unjust discrimination in their public service, and prescribe penalties for violation thereof," approved February 23, 1907.

Also,

S. 427. To prevent any person or persons from drinking intoxicating liquors in the presence of passengers on any railway passenger car or street car in the State of Alabama.

Mr. Horton, chairman of the standing committee on Agriculture, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:

S. 433. To further define and punish and prevent frauds in the sale, removal, and concealment by tenants,

or persons renting farm lands, of cotton seed and seed cotton raised on the rented premises, and upon which the landlord has a lien, and frauds in the buying and receiving by other persons of such property from such tenants.

Also,

S. 434. To define and punish the offense of selling or bartering by any person, and buying and receiving from such person, any corn, oats, chops, hay, or other feed stuff, and guano, or other fertilizer material, which has been furnished or advanced to such person for the purpose of enabling him to make a crop by any person, who has a claim to, lien upon, or interest in, such crop, when such selling or bartering and such buying and receiving is done without the written consent of, and with the intent to hinder, delay or defraud, such person so furnishing or advancing such property, and who has such claim to, lien upon, or interest in said crops.

Also,

S. 435. To confer on the governing bodies of towns and cities which own and operate dispensaries in counties where no part or the net profits of such dispensaries are divided with the counties in which they are so owned and operated, the right, power and authority to give to such counties a part of the net profits of such dispensaries, not exceeding forty per cent thereof, to be used and expended by the governing bodies of such counties in the improvement of the public roads of such county or counties.

Also,

S. 436. To amend an act entitled an act relating to the preservation, propagation and protection of the fish of Alabama, approved February the 19th, 1907, by adding to said act a new section, numbered 3 1-2.

Also,

S. 438. To further define and punish the offense of giving and receiving bribes, and the influencing of agents, employes, or servants thereby.

Also,

H. 863. To establish a normal school for education of white male and female teachers at Moundville, in Hale county, Alabama.

Mr. Hamburger, chairman of the standing committee on Military, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report:

S. 469. To punish persons having the care or custody of children having negro blood in them to permit or suffer said children to be admitted into the public schools of the State of Alabama, set apart for children who are not negroes.

Mr. McWhorter, chairman of the standing committee on Temperance, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:

S. 406. To prohibit the sale of hop-jack, hop-tea, hop-ale, hopen-weiss, malt tonic or other beverage the product of malt-tose or glucose, at any place, where the sale of spirituous, vinous or malt liquors is prohibited by law.

Also,

S. 413. To prevent the sale, barter, exchange and giving away of spirituous, vinous or malt liquors, or intoxicating beverages of any kind, within two (2) miles of any church or house used for religious worship, in the town of Sanford, in Covington county, and to provide punishment for violations of this act.

Also,

S. 414. To prevent the sale, barter, exchange and giving away of spirituous, vinous or malt liquors, or intoxicating beverages of any kind, within the territory now embraced in the election precinct No. nine (9) in Covington county, Alabama, except within the present corporate limits of the town of Floralla and to provide punishment for violation of this act.

Also,

S. 428. To prevent drinking intoxicating liquors in the presence of passengers on passenger cars.

Also,

S. 503. To further regulate and prohibit the sale or other disposition of spirituous, vinous, malt or intox-

icating liquors, or the issuing of prescriptions by physicians for the sale or other disposition of such liquors.

Also,

H. 552. To require the sheriffs of the various counties of the State of Alabama, to procure from the office of the United States Internal Revenue Collector, a list of all persons, firms or corporations in their respective counties, to whom licenses have been issued for the sale of spirituous, vinous or malt liquors, and to publish the same in some newspaper published in said county.

The foregoing bills contained in said committee reports, were severally read a second time, and placed on the calendar.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following Senate bill:

S. 221. To amend sections seventeen of an act to establish a uniform system for the examination and licensing of teachers of public schools, approved February 10th, 1899, amended February 8th, 1901.

And herewith returns same to the Senate.

Cyrus B. Brown,
Clerk.

REPORT OF COMMITTEE ON MUNICIPALITIES.

Montgomery, Alabama, July 12th, 1907.

To the Legislature of Alabama:

Your committee, appointed by the President of the Senate and the Speaker of the House, to sit during the recess and frame a uniform municipal charter bill or bills, beg leave to report that they met and organized on the 6th day of May, 1907, and herewith report a uniform municipal charter bill as the product of their labors.

Gaston Gunter,
Chairman.

Norman Gunn,
W. T. Lowe,
Jas. W. Strother,
J. H. Crawford,
Jos. H. Norvill,
C. M. Almond.

NOTICE.

Notice is hereby given that on Saturday, July 13th, 1907, I will call up Senate bill No. 430 from the adverse calendar, and move the second reading of said bill and the placing of the same on the calendar.

July 12th, 1907.

F. L. Blackmon.

NOTICE.

Notice is hereby given that on the next legislative day a motion will be made to take from the adverse calendar of the Senate and placed on the calendar for the third reading, which bill is H. B. 497, and provides for the relief of D. L. Guthrie, ex-tax collector for Lamar county, Ala.

Leith.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following joint resolution:

H. J. R. 224. To appoint a committee to investigate the Alabama Insane Hospital at Tuscaloosa.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

The Senate concurred in the House joint resolution, H. J. R. 224, relative to the appointment of a committee to investigate the Alabama Insane Hospital at Tuscaloosa, and the President of the Senate appointed as a committee of the part of the Senate, Messrs. Spragins and Hays.

REPORT FROM THE COMMITTEE ON ENROLLED BILLS.

Mr. President:

The committee on Enrolled Bills have examined the following Senate bills:

S. J. R. 57. Memorializing Congress to establish a fish hatchery in Alabama.

S. 233. To fix the time for holding the circuit court of Randolph county, and to fix the term for the same.

S. 266. To make the office of judge of the city court of Anniston, in Calhoun county, Alabama, elective by the qualified electors of Calhoun county, Alabama.

And find same correctly enrolled..

Frank S. Moody,
Chairman Committee on Enrolled Bills.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read by the secretary, signed the above bills, the titles of which are set out in the foregoing message from the committee on Enrolled Bills. The reading at length of said bills having been dispensed with by a two-thirds vote of a quorum of the Senate present.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has non-concurred in the Senate amendments to House bill No. 25:

To define corrupt solicitation of Legislators and provide adequate punishment therefor and the means to effectually enforce this act.

And herewith returns the same to the Senate.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

The Senate insisted on its amendments to H. B. 25, the title to which is set out in the above and foregoing message from the House, and asks for a committee of conference. The President of the Senate appointed as conferees on the part of the Senate, Messrs. Miller, Merritt and Lusk.

MESSAGE FROM THE HOUSE.

Mr. President::

The Speaker of the House having signed the following House bill and joint resolution, your signature thereto is requested:

H. 388. A bill to be entitled an act to repeal an act ~~entitled an act to incorporate the South Side Reading Club of Birmingham, Ala., approved February 13,~~ 1897.

H. J. R. 223. Joint resolution of the Legislature of Alabama to give assent to the purposes of the grant made by the act of Congress to provide for an increased annual appropriation for the Agricultural Experiment Station in connection with the Land Grant colleges.

Cyrus B. Brown,
Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read by the secretary, signed the above House joint resolution and bill, the titles of which are set out in the foregoing message from the House. The reading at length of said bill and joint resolution having been dispensed with, by a two-thirds vote of a quorum of the Senate present.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following Senate bills:

S. 266. To make the office of judge of the city court of Anniston, in Calhoun county, Alabama, elective by the qualified electors of Calhoun county, Alabama.

S. 233. To fix the time for holding the circuit court of Randolph county, and to fix the term for the same.

And herewith returns the same to the Senate.

And the House has amended as therein shown, and as amended, has passed:

S. 327. To amend Sec. 7 of an act entitled an act to amend an act to regulate the trials of misdemeanors in Bibb county, approved December 14, 1894.

And herewith returns the same to the Senate.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

The Senate concurred in the House amendment to Senate bill No. 327, the title to which is set out in the foregoing message from the House, said amendment being as follows:

Amend Senate bill 327 by striking out all that part of section 1 of said bill from and including word "complaints" where it appears in the fourth line of said section 1 of said bill as it is engrossed, to and including the word "Centerville" where it appears in the eighth line of section 1; and insert in lieu after the following words "cases or prosecutions for any and all violations of the special or local prohibition law for Bibb county, Alabama, for selling, giving away or otherwise disposing of spirituous, vinous or malt liquors, intoxicating bitters or intoxicating beverages without a license and contrary to law within the limits of said county, for selling, giving away or otherwise disposing of spirituous, vinous or malt liquors to minors within the limits of said county, and for soliciting orders for the sale of any spirituous, vinous or malt liquors within the limits of Bibb county, or for any violation of any general prohibition law of the State of Alabama within the limits of Bibb county, Alabama, shall be tried exclusively by the circuit courts of Bibb county, Alabama, and the said circuit courts shall have exclusive jurisdiction of said cases; but prosecutions or cases for all other misdemeanors committed in Bibb county, Alabama, commenced by affidavit, indictment or otherwise and which are now triable by county court of Bibb county, Alabama, shall be tried by said county court as follows, viz: All of such cases arising in beats 1, 9, 10, 11 and that part of beat 6 of said county which lies north and west of Little river shall be returnable to and shall be tried

at the terms of said county court held at Blocton, that is in the Blocton division of said court, and all of such cases or prosecutions arising in beats 2, 3, 4, 5, all that part of 6 south and east of Little river, 7, 8 and 12 of said county shall be tried at the terms of said county court held at Centerville, that is in the Centerville division of said county court, and the said county court of ~~Bibb county, Alabama, shall have exclusive jurisdiction of said cases last above named which are now triable in said court."~~

Yeas, 24; nays, 0.

Yeas:

Messrs:

Barbour	Heacock	Lusk	Spragins
Gardner	Hinson	Merritt	Strother
Glenn	Horton	Moody	Teasley
Gunn	Jones	Overton	Thomas
Hamburger	King	Reid	White
Hayes	Lowe	Reynolds	Wilson

—24.

RESOLUTION.

Mr. Gardner offered the following resolution, which on motion was adopted:

Resolved, That there are hereby created a clerk for the committee on Revision of the Journal, who shall also serve as clerk for the committee on Privileges and Elections and Rules, and a clerk for the committee on Military, who shall also serve as clerk for the committee on Agriculture and Mining and Manufacturing, said clerks to be appointed by the chairman of the committee in each instance named.

Resolved, further, that the compensation of such clerks shall be four dollars per day each.

Be it further resolved, That said clerk shall assist in the clerical work of the other committees of the Senate ~~whenever called on by the chairman of such committees to do so, when not engaged in the business of the committee above named.~~

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bill and has ordered same sent forthwith to the Senate without engrossment:

H. 461. To legalize the dissection of human bodies in this State, and to provide for the use of certain bodies for such purposes.

And herewith sends same to the Senate.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

The House bill in the foregoing House message was read once and referred to appropriate standing committee as follows:

H. 461, to Public Health.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bill:

H. 839. To better provide for the working the public roads in Pike county, Alabama, prescribe rules and regulations for the same and prescribe penalties for the violation of the provisions of this act.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

Notice and Proof. H. 839.

NOTICE.

Notice is hereby given that the following bill will be presented for passage and enactment into law at the next meeting of the Legislature which will convene on Tuesday, the 8th day of January, 1907, at the State capitol, in the city of Montgomery, Alabama:

Be it enacted by the Legislature of Alabama, That the court of county commissioners of Pike county, be and they are hereby authorized and empowered to appoint one overseer of public roads for each election precinct in said county, who shall serve for one year from the time of his appointment, and who shall, before entering upon the discharge of his duties as such overseer, enter into ~~bond in such sum as the court shall prescribe, and take~~ an oath faithfully to discharge all the duties imposed upon him to the best of his skill and judgment, without partiality or favor, which oath shall be in writing and subscribed by him, and filed and recorded in the office of the probate judge of said county.

(2) Be it further enacted, That it shall be the duty of said overseers to do and perform the following duties and services:

(1) They shall, within thirty days after their appointment, make out a list of all persons subject to road duty within their respective precincts, and furnish a copy of the same to each of the following officers of the county, viz.: judge of probate, tax assessor, and tax collector.

(2) They shall work and keep in repair the public roads of their respective precincts under the general orders and directions of the court of county commissioners, and to this end the court of county commissioners shall have power and authority to hire and employ hands and laborers for this purpose, and to authorize such overseers to employ hands and laborers to work the public roads of their respective precincts, when in the judgment of said court such labor is necessary.

(3) They shall have power and authority and it shall be their duty, to call out the hands and persons subject to work on public roads of their respective precincts, at their discretion, and to work with the same ten days in the year.

(4) They shall report to the grand jury any and all persons who fail to discharge their duties with reference to the public roads within their respective precincts.

(5) To prosecute all defaulters for not working on roads, as hereinafter provided.

(6) They shall have power to dismiss from service any hand, whether working for himself or as a hired hand, who shall fail or refuse to do good and faithful work, or who shall hinder or delay other hands, or who shall refuse to obey any reasonable orders; and any such person shall be liable to the same punishment as if he had failed to obey the notice to work on the road to which he was warned.

(7) They shall take care of the tools and implements turned over to them by the county commissioners, and shall use the same only to work on the public roads, and shall deliver them to their successors, or on the order of the county commissioners.

(8) It shall be the duty of each precinct overseer to report to the justice of the peace within his respective precinct all defaulters who failed to attend after having been notified to do so, also all hands who have failed or refused to faithfully perform their duty, also all persons who have interefered with others in the discharge of their duties, within ten days after such default, under oath, and such justice shall forthwith issue a warrant of arrest for all who are so returned, and cause them to be brought before him and proceed against them as in other criminal cases in which he has jurisdiction.

(9) Such overseers shall discharge all such other duties as may be required of road overseers and appor-tioners by the general laws of Alabama.

(3) Be it further enacted, That said overseers shall receive as compensation for their services such sum as may be allowed and fixed by the commissioners' court at or prior to the time of their appointment, to be paid out of the county road funds.

(4) Be it further enacted, That the county commissioners' court shall have the power at any time to discharge any overseer who may fail to discharge any duty that may be lawfully required of him, and each of said county commissioners must inspect all public roads in his respective district at least twice in each year, and report to the court the condition he finds them in.

(5) Be it further enacted, That, in order to better carry out the provisions of this act the commissioners' court of Pike county is hereby authorized and empowered to borrow in the name of the county money for not longer than one year at a time, and at an interest not to exceed 8 per cent. per annum, for which they shall issue the county's warrants and which, when due, shall be a charge against any funds in the county treasury not otherwise appropriated.

(6) Be it further enacted, That all persons liable to work on the public roads of Pike county shall work ten full days in each calendar year, and at such times and places within their respective precincts as may be directed by their respective precinct overseers.

Provided, however, that all persons arriving at the road duty age during the year, and persons coming into the said county during the year, shall be liable at the rate of ten days per year for the remainder of the year.

(7) Be it further enacted, That all male persons between the age of 18 and 45 years except those who are exempt from road duty under the general laws of Alabama, are liable to work on the public roads of Pike county. Provided, however, that any person liable to road duty in said county may relieve himself from such liability by paying to the county treasurer of Pike county, on or before the first day of February of the year in which he is so liable, the sum of four dollars, and the county treasurer's receipt for said sum shall be a full acquittance to such person for such year of his liability to road duty in said county. Provided, however, that persons arriving at the road duty age during the year, and persons coming into said county during the year, may relieve themselves from such liability by paying to the county treasurer, within thirty days after they arrive at said road duty age or come into the county, at the rate of four dollars per annum for the remainder of the year.

(8) Be it further enacted, That the treasurer of Pike county shall receive all such monies as are paid to him under the provisions of this act, and receipt therefor and pay the same into the general road fund of the coun-

ty; and he shall report to the county commissioners' court and account for the same in the same manner and he is required to do for the other county funds.

(9) Be it further enacted, That the general laws now in force in Alabama with reference to the mode of warning hands to work on the public roads, the length of notice to be given, and the kind of tools and implements to be brought by the hands and as to defaulters in road working, and the prosecution and punishment of the same, shall apply in all cases in this county and under this law, except as herein otherwise provided.

(10) Be it further enacted, That, if any person warned who is liable to road duty fails to attend or send an acceptable substitute, with the proper tools agreeable to the notice; or fails faithfully to perform his duty; or who interferes with other hands in the discharge of their duty, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined not less than one nor more than fifty dollars for each offense and justices of the peace shall have jurisdiction to try and determine such cases.

(11) Be it further enacted, That the office of road apportioner and road overseer, except as herein provided, be and they are hereby abolished in the county of Pike.

(12) Be it further enacted, That this act shall go into effect and become operative on the 1st day of January, 1908.

(13) Be it further enacted, That all laws and parts of laws in conflict herewith be and they are hereby repealed so far as Pike county is concerned.

The State of Alabama, }
Pike County. }

Before me, A. C. Edmondson, judge of probate in and for said county, in said State, personally appeared S. H. Blan, who is known to me to be editor and proprietor of the Troy Messenger, a newspaper published in the city of Troy, Pike county, Alabama, who, being by me duly sworn, says on oath that the foregoing instrument purporting to be a bill for presentation, passage and en-

actment into law in the Legislature of Alabama, at its present session in the city of Montgomery, Alabama; having for its purpose the creation and establishment of a new road law for said Pike county, Alabama, is the original copy thereof as delivered to him and published in accordance with law; that said instrument purporting to be a bill for the creation of a new road law for Pike county as aforesaid, was duly copy and printed in his said paper, the said Troy Messenger, from the 8th day of January to the 28th day of January, inclusive, 1907, and that the same was promulgated in the exact words of this, the original instrument.

S. H. Blan,
Editor and Proprietor of the Troy Messenger.

Sworn to and subscribed before me this the 21st day of February, 1907.

A. C. Edmondson,
Judge of Probate.

H. 752. To vacate and annul that part of Ninth street from the alley extending through blocks 228 and 229 on which is the right of way of the Louisville & Nashville R. R. south to the alley extending east and west through blocks 268 and 269 and also that part of Seventh street that extends from the right of way of the Louisville & Nashville R. R. south to the right of way of the Southern Railway company in the town of North Birmingham, Ala., as public streets or highways and to annul and extinguish the dedication thereof.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama,)
Jefferson County. }

Before the undersigned authority personally appeared T. B. Smith, who being duly sworn on oath says, that he is secretary of the Ledger Publishing Company, publishers of the Birmingham Ledger, a newspaper published in Birmingham, Jefferson county, Alabama, and that the attached notice was published in said pa-

per once a week for four weeks, on the following dates:
Jan. 7th, Jan. 14th, Jan. 21st and Jan. 28th, 1907.

T. B. Smith.

Subscribed and sworn to before me this 7th day of
February, 1907.

D. N. Smith, Notary Public.

NOTICE.

Application will be made to the Legislature of Alabama, session 1907, for the passage of a bill in substance or effect as follows, namely:

A BILL

To be entitled an act to vacate and annul that part of Ninth street from the alley extending through blocks 228 and 229, on which is the right of way of the Louisville & Nashville Railroad Company, south to the alley extending east and west through blocks 268 and 269, and also that part of Seventh street that extends from the right of way of the Louisville & Nashville Railroad Company, south to the right of way of the Southern Railway Company, in the town of North Birmingham, Ala., as public streets or highways, and to annul and extinguish the dedication thereof.

Be it enacted by the Legislature of Alabama:

Section 1. That that part of Ninth street from the alley extending through blocks 228 and 229, on which is the right of way of the Louisville & Nashville Railroad Company, south to the alley extending east and west through blocks 268 and 269, and also that part of Seventh street that extends from the right of way of the Louisville & Nashville Railroad Company south to the right of way of the Southern Railway Company, in the town of North Birmingham, Ala., be, and the same is hereby vacated, annulled and abolished as public

streets or highways and the dedication thereof as public streets or highways is hereby extinguished and annulled.

January 7, 1907.

H. 810. To establish a board of revenue for Houston county.

~~And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:~~

Notice and proof H. B. 810.

The State of Alabama, }
County of Houston. }

Before me, Nannie N. McAliley, a notary public in and for said county, came W. T. Hall, who, being sworn, says that he is editor and manager of The Dothan Eagle, and that The Dothan Eagle is a weekly newspaper published at Dothan, county of Houston and State of Alabama, and that the attached notice was published once a week for four consecutive weeks in said newspaper, before the making of this affidavit.

W. T. Hall.

Sworn to and subscribed before me, this the 5th day of February, 1907.

Nannie McAliley.

NOTICE OF LEGISLATION.

Notice is hereby given that at the coming session of the Legislature of the State of Alabama a bill will be introduced for the purpose of establishing a board of revenue for the county of Houston in lieu of the commissioners court of said county; to divide the county into revenue districts; to provide for the election or appointment of the members of said board, one member from each district; to define the powers and duties of said board of revenue; to confer the powers and duties of the commissioners' court upon said board and to define his duties and powers; to make said president of said board

the tax commissioner of said county with all the powers and duties of such tax commissioner; to fix the times of the regular sessions of said board, to provide for a clerk of said board and to define his duties and compensation; to require clerks of all courts in the county and the register in chancery to report all fines and forfeitures taken and judgments rendered in their respective courts where the State or county is interested; to fix the compensation of the members of said board; to require the sessions of said board to be held at the court house of said county; to abolish the court of county commissioners of said county and to fix the time when said act shall go into effect.

W. L. Lee.

Cyrus B. Brown, Clerk.

HOUSE MESSAGE.

The House bills in the foregoing House message were severally read once and referred to appropriate standing committees, as follows:

H. 839, 752, 810, to Local Legislation.

REPORT OF SPECIAL COMMITTEE.

Mr. Leith, from the special committee, for the purpose of investigating the sale of fertilizers in this State submitted the following as the report of said committee:

REPORT OF JOINT COMMITTEE.

To the Legislature of Alabama:

We, the undersigned joint committee of five, composed of two Senators and three Representatives, created by Senate resolution No. 42, approved March 7, 1907, hereby submit to the Legislature of Alabama the following as our full and complete report of the proceedings had before this committee:

This committee met in the city of Montgomery on the 11th day of April, 1907, and elected Senator M. L.

Leith as its chairman, and summoned various witnesses to testify as to their knowledge touching the manufacture of fertilizers, and as to whether or not there was any agreement between the fertilizer manufacturers to control the price of fertilizers in the State; and further, the committee had before it witnesses who were engaged in the business of what is known as dry mixing of fertilizers, ~~and also witnesses who were engaged in crushing~~ cotton seed and manufacturing the by-products of the same, and who are known as cotton seed oil mill men.

After hearing the testimony of quite a number of witnesses, coming from all parts of Alabama, engaged in both the manufacture of fertilizers and of making cotton seed meal, and mixing the finished product, as well as the testimony of the consumers of fertilizers, we find there is not what we call an express agreement between the fertilizer companies of Alabama and other States in the South, but an implied agreement to the effect that a certain grade of fertilizer should be sold to the merchant, to be sold to the farmer, for a certain stipulated price.

We further find from the testimony of the manufacturers, as well as from testimony of the merchants, that in most cases the price for the same grade of fertilizer was the same, thereby showing some uniformity of action between the fertilizer manufacturers,—whether an express agreement or not, we are unable to tell; but this committee believes that there is an agreement between the fertilizer manufacturers of this and other States in the South, by which they can and do absolutely control the price of fertilizers.

We further find that in the South there is an organization known as the Southern Fertilizer Association, composed of manufacturers of fertilizers throughout the South, but we find no evidence (and we had no witnesses except members of that Association) that there is a trust of fertilizer manufacturers in this State, but this committee believes from all the testimony that this association influences and makes it possible for certain

large fertilizer manufacturers to control the price of fertilizers in this State.

We further find, from all the evidence submitted, that the Virginia-Carolina Chemical Company (whose State Manager is Mr. E. R. Taber, of Montgomery) sends to all the fertilizer plants in this State a uniform price list showing the prices of the different grades of fertilizers manufactured by them. We further find that this has been almost exclusively the price of all fertilizers sold in this State. In very few cases do we find from the testimony that any fertilizer manufacturer or owner of a mixing plant has sold fertilizer cheaper than is shown on the price list issued by the Virginia-Carolina Chemical Company. We attach this price list to this report, and mark the same Exhibit "A."

We further report that after considering and weighing carefully all the testimony submitted, we find that there is used in all low grade fertilizers, such as what is known as 8.2.2 and lower grades, what is called a "filler," which contains no plant food and has absolutely no good effect on the soil. We find that there are very few farmers in this State who really know that this "filler" is used in fertilizers. The testimony shows clearly that in a ton of 8.2.2. fertilizer about 400 pounds of this filler is used, and it is sold at the same price as the fertilizer. We find also that there are different kinds of filler used in this State by the different manufacturers of fertilizer, some using sand, some coal dust, some graphite, some dirt and some pyrites rocks; all the witnesses testify that this has no beneficial effect on the soil. This filler is put into the fertilizer to reduce the grade and to make weight, and contains absolutely no plant food.

This committee, in view of all this testimony, has prepared and submits to this Legislature, a bill by which it seeks to eliminate this filler, which is of no value whatever to the farmers of this State.

Your committee finds from the evidence that the price of fertilizer tags required by law to be placed on sacks of fertilizer manufactured or sold in this State,

is paid by the manufacturers of the fertilizer, but the price is correspondingly increased to the consumer.

We find from the testimony of ex-Commissioner Poole and Chief Clerk Adams that the law requiring the commissioner of agriculture and industries to obtain a complete analysis of every grade of fertilizer sold in this State, ~~could not be complied with as the law requires,~~ because they did not have a sufficient number of inspectors to obtain a sample of each and every brand of fertilizer material offered for sale or exchange in this State. Your committee recommends that this part of the force in this department of the office of the commissioner of agriculture and industries be increased in order that a true and correct sample be obtained from each and every brand of fertilizer sold in this State.

Under the Senate joint resolution, this committee had power and authority to investigate the cotton seed oil mills in this State, and in compliance with the resolution, we summoned a number of witnesses who own and operate cotton seed oil mills in the State. We find from the testimony that there is no evidence of any agreement between the cotton seed oil mills, or showing that they are trying to control the price of cotton seed; that the price of cotton seed varies every season, according to the supply and demand for the same. For example, in the fall of 1906, we find the price of cotton seed ranging from \$10.00 to \$22.00 a ton. We also find from the testimony, however, that in a few instances there has been an effort made to control the territory for certain mills in this State, which this committee believes to be detrimental to the farmers of Alabama, but we only found this to be true in a few instances in and around Montgomery.

We also find from the testimony that there exists an order known as the Sons of Plato, organized by the cotton oil mill men, who are the only people eligible to membership in the Order. This order, it is shown by the testimony is a secret organization. Whether or not the price of cotton seed is discussed in their meetings, this committee is unable to tell. We find that in most cases, if not all, the initiation fees and dues, which are

from \$25.00 to \$50.00 per annum, are paid by the companies of which the members are officers or employes, and this committee does not understand why the companies should pay the dues and initiation fees of its officers or employes who join this secret and fraternal order, unless it expects to derive some benefit, not to the members socially and personally, but to the companies in a financial way.

Your committee, after due and careful consideration of all the testimony submitted, and in view of the further fact that there is no law in the State of Alabama by which any trust, monopoly, conspiracy to control business and prices of articles and prevent the formation and operation of pools, trusts, monopolies and combinations of charters of corporations can be prevented, we have prepared a bill that we believe will prevent any trust, monopoly or conspiracy to control business and the prices of articles in this State, and present the same herewith to the Legislature.

This committee has had the assistance of Hon. Thos. W. Martin, the assistant attorney-general, whose assistance in the examination of all the witnesses touching their knowledge of fertilizer and other things, has been a great help to the committee.

After the committee had remained in session about fifteen days, and after examining a number of witnesses from all parts of the State, in compliance with the Senate joint resolution we herewith submit, as a part of our report, a stenographic copy of all the testimony offered before us and attach the same as Exhibit "B," and ask that the same be considered and read by the Legislature with the report.

This committee, having finished its investigations, having arrived at the foregoing conclusions, and having drawn the bills which we think will remedy the evils in

regard to trusts, combinations, etc., and the price of fertilizers, has on this day adjourned.

All of which is respectfully submitted,

M. L. Leith,
Chairman.
John W. Overton,
John R. Sample,
~~T. D. Power~~
Wm. L. Pitts, Sr.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bills:

H. 469. To amend section 12 of an act, To grant a new charter to the Alabama Girls' Industrial School, approved March 4, 1901, and to confer additional powers on the trustees of the school.

And sends the same to the Senate.

H. 705. To change the boundary line of the incorporation of the town of Wilsonville, in Shelby county, Alabama.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

PROOF OF PUBLICATION.

H. E. Whitaker, being duly sworn, says he is the publisher of the Columbia Sentinel, a weekly paper published in Columbiana, Shelby county, Ala., and that the attached notice was published in the said Columbiana Sentinel for four (4) consecutive issues bearing dates of January 17, 24, 31 and February 7th, 1907.

H. E. Whitaker,
Publisher of the Columbiana Sentinel.

Subscribed and sworn to before me this 9th day of February, 1907.

Annie Finley,
Notary Public.

LEGAL NOTICE.

Notice is hereby given that there will be a bill introduced in the Legislature of Alabama at its present session to change the boundary line of the Wilsonville school district in Shelby county, Ala., as follows:

Beginning where the western line crosses Four Mile creek, thence down said creek in an easternly direction to where it crosses the range line between ranges 1 and 2 east, thence north along range line to where it intersects the present district line. This the 14th day of January, 1907.

Irwin Wingard.

H. 766. To amend section 1 of an act, approved February 15, 1899, entitled "an act to amend an act entitled an act to establish the Tuscaloosa county law and equity court, approved December 9th, 1896:

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Tuscaloosa County. }

Before me, G. W. Van Hoose, register in chancery for the county and State aforesaid, personally appeared Richard Little, who, being duly sworn, deposes and says under oath that he is an editor, and one of the owners of The Times-Gazette, a newspaper published in the city and county of Tuscaloosa, and that the below notice was published for four (4) consecutive weeks in the said newspaper, in accordance with the constitutional requirements in regard to notices regulating the passage of local laws in the State of Alabama:

Richard Little.

Sworn to and subscribed before me, this the 26th day of January, A. D., 1907. G. W. Van Hoose, Register.

NOTICE.

Notice is hereby given that a bill will be introduced at the coming session of the Legislature of Alabama, which will convene on January 8th, 1907, to amend a

local law, establishing the Tuscaloosa county court, found on pages 878, 879 and 880 of the local laws for the years 1898-1899, the said proposed amendment will be substantially as follows: That no tax fee of five dollars shall be taxed and collected on any cause, on the equity side of the said court. Tuscaloosa, Ala., January 1st, 1907.

H. 551. To amend an act entitled an act to authorize and require the commissioners' court of Pickens county to set apart and appropriate money from the general fund of said county with which to pay and discharge certificates of State witnesses issued by the foreman of the grand jury, and the clerk of the circuit court of said county, fees which by law become a good claim against the fine and forfeiture fund of said county as hereinafter provided in section two of this act, and to regulate the manner of said payments, and fixing the amount of said witness fee, approved December 13, 1900.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

To whom it may concern:

A bill will be introduced at the next session of the Legislature held for the State of Alabama, to amend an act entitled an act to authorize and require the commissioners' court of Pickens county to set apart and appropriate money from the general fund of said county with which to pay and discharge certificates of State witnesses issued by the foreman of the grand jury and by the clerk of the circuit court of said county, fees which by law become a good claim against the fine and forfeiture fund of said county as hereinafter provided in section two of this act, and to regulate the manner of said payments, and fixing the amounts of said witness fee, approved December 13, 1900. The amendment to be substantially as follows:

1st. To authorize the county treasurer to place all money now accruing to the fine and forfeiture fund of said county to the credit of the general fund of said

county, and to pay State witnesses before the grand jury and the circuit court and all other claims now payable out of the fine and forfeiture fund, out of such general fund.

2nd. To increase the pay of said witnesses to seventy-five cents per diem and five cents per mile traveled each way and ferriage actually paid while attending said court and grand jury.

3rd. To allow the circuit clerk, for issuing certificates of conviction under this act, to the county treasurer, the sum of fifty cents in each case where there is a conviction.

4th. To omit sections 6, 7, 8 and 9 of said act.

The State of Alabama, }
Pickens County. }

. Before me, L. C. Hudgins, judge of probate for said county, personally appeared Marion Johnson, who, being duly sworn, doth depose and say that he is one of the publishers of The Alabamian-Herald, a weekly newspaper published in said county, and that the foregoing notice was published in said paper for four consecutive weeks prior to this date, January 23rd, 1907.
Marion Johnson.

Sworn to and subscribed before me, this January 23rd, 1907.
L. C. Hudgins,
Judge of Probate.

H. 774. To detach election precinct number nine (9) in St. Clair county, known as Ragland election precinct, from the southern judicial division of the county and attach the same to and make it a part of the northern judicial division of St. Clair county and to confer jurisdiction with right to hear and try all matters and causes civil and criminal arising in said election precinct, on the circuit court, chancery court, probate court, county court and commissioners court of the northern judicial division of said county, with place of holding court at Ashville in said county; in the same manner and to the same extent as if said election precinct had never been

attached to and made a part of the southern judicial division of said St. Clair county.

And sends the same to the Senate with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
St. Clair County. }

~~Before me, C. R. Robinson N. P. Ex. officio a justice~~
of the peace in and for said county and State, in person came Wm. A. Stains well known to me and being by me duly sworn, did and doth depose and say on oath, that he is the publisher of the Pell City Times a weekly newspaper edited by Mrs. Charles R. Robinson and published weekly by affiant in the town of Pell City in said St. Clair county. That the following notice and paper was by the said publisher and editor inserted in said weekly newspaper in the regular weekly issue of said newspaper at the instance of and request by S. F. Hagin and G. W. Morris resident citizens of said county, said notice and paper was first published in the issue of said newspaper bearing date on the 17th day of January 1907, and was in words and figures as follows to-wit:

NOTICE.

The State of Alabama, }
St. Clair County. }

To whom it may concern:

Take notice that the undersigned proposes to introduce at the present session of the Legislature of Alabama a bill affecting the interest of the people of St. Clair county, and the substance of the proposed bill is as follows:

AN ACT

To amend any and all legislations passed this present session of the Legislature affecting the territorial division of St. Clair county which provides for the jurisdiction of the time and place of holding the circuit court, chancery court, probate court, county

court and commissioners court for said county.

Section 1. Be it enacted by the legislature of Alabama, That any and all legislations passed at this present session of the legislature providing for the jurisdiction of time and place of holding the circuit court, chancery court, probate court, county court and commissioners court in St. Clair county to be so amended that precinct number nine (9) as now situated in said county shall be embraced in and constitute a part of the Northern Judicial Division and Northern Chancery Division of the said county and all causes arising in said precinct and cognizable by said courts or any of them shall be heard and determined at Ashville.

Section 2. That all laws and parts of laws in conflict with the provision of this act be and the same are hereby repealed.

S. P. Hagin,
G. W. Morris.

That such notice was regularly published in said weekly newspaper for four consecutive weeks, said notice having been so inserted or published first on the 17th day of January 1907, the second on the 24th day of January 1907, the third on the 31st day of January 1907, and the fourth insertion on the 7th day of February 1907, a copy of said notice as published in said newspaper and as clipped from the Pell City Times is hereto attached marked Exhibit A. and referred to as a part of the affiants affidavit, affiant further states that such notice and paper was published in said weekly newspaper for four consecutive weeks commencing with the number of the said paper issued and published on the 17th day of January 1907, and ending with the number of said newspaper issued and published on the 7th day of February 1907.

W. A. Starns,
Pub. of Pell City Times.

Subscribed and sworn to before me on this 15th day of February 1907.

C. P. Robinson,
N. P. Ex-Officio J. P.

H. 686. To repeal an act entitled an act to regulate the trial of misdemeanors in Marion county, approved February 23rd, 1899, acts 1898-99, page 1553, and to transfer all causes and proceedings pending in the county court of Madison county as regulated or established by said act, and all dockets and records thereof, to the ~~law and equity court of Madison county, and to give~~ such court jurisdiction of such causes and proceedings, and full power and authority thereover.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Madison County. }

Before me, W. F. Esslinger, a notary public, in and for said State and county, this day personally appears Ray O'Neal, who being duly sworn, says that the following notice of intention to apply for local law, to-wit:

NOTICE OF INTENTION TO APPLY FOR LOCAL LAW.

Notice is hereby given that a bill will be introduced in the Legislature of Alabama at its session beginning the second Tuesday in January, 1907, the substance of which is to repeal an act entitled an act to regulate the trial of misdemeanors in Madison county, approved February 23rd, 1899, Acts of 1898-9, page 1553, and to transfer all causes and proceedings pending in the county court of Madison county as regulated or established by said act, and all dockets and records thereof to the law and equity court of Madison county, and to give such court jurisdiction of such causes and proceedings and full power and authority thereover; such dockets and records to become a part of the dockets and records of said law and equity court, and repealing all conflicting laws.

Was published once a week for four consecutive weeks upon the following dates, to-wit: January 2, 9, 16, and 23, 1907, in the Evening Banner, a newspaper published

in said county of Madison, and that affiant is the editor and publisher of said newspaper. Roy O'Neal.

Sworn to and subscribed before me this the 24th day of January, 1907.

W. F. Esslinger,
Notary Public.

H. 795. To prohibit any person or corporation from selling, giving away, delivering or otherwise disposing of spirituous, vinous or malt liquors or other intoxicating bitters or beverages in Marion county, Alabama, prescribing that a delivery shall constitute a sale, and prescribing a penalty for the violation of said law.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that an application will be made to the Alabama Legislature at its 1907 session for the passage of the following law:

A bill to be entitled an act to amend section 14 of the charter of the town of Hamilton.

Be it enacted by the Legislature of Alabama, as follows:

Sec. 1. That section 14 of the charter of the town of Hamilton as found in the acts of the Legislature of 1888-9, page 253, be amended so as to read as follows: Be it further enacted, That no by-laws or ordinances passed by the authorities of said town shall be enforced until the same has been published at least five days by posting in three public places in said town.

Sec. 2. Be it further enacted, That all laws in conflict with this amendment are hereby repealed.

John F. Hamilton, Mayor.

The State of Alabama, }
Marion County. }

Before me, Mack Pearce, judge of probate in and for said State and county, this day personally appeared G.

J. Wilson, who, being by me first duly and legally sworn, deposes and says that he is editor and publisher of the Marion County News, a weekly newspaper published in the town of Hamilton in said Marion county, Alabama; and that a certain notice, a true and correct copy of which is hereto attached, was inserted in said Marion County News and was published once a week for four consecutive weeks in said newspaper before the making of this affidavit; and that said publication was made without cost to the State.

G. J. Wilson.

Sworn to and subscribed to before me this, the 7th day of February, A. D., 1907.

Mack Pearce,
Judge of Probate.

H. 224. To repeal an act entitled an act to increase the jurisdiction of justices of the peace in Marion and other counties, approved February 13, 1891, so far as the same relates to Marion county.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Marion County. }

Before me, Mack Pearce, judge of probate in and for said State and county, personally appeared G. J. Wilson, who, being by me first duly and legally sworn, deposes and says that he is editor and proprietor of the Marion County News, a weekly newspaper published at Hamilton, in said county and State, and that a certain notice, a true and correct copy of which is hereto attached, was inserted in said Marion County News, and was published once a week for four consecutive weeks in said Marion County News, before the making of this affidavit.

G. J. Wilson.

Sworn to and subscribed before me this, the 3rd day of January, 1907.

Mack Pearce,
Judge of Probate.

NOTICE.

Notice is hereby given that I will apply to the Legislature, session 1907, for a law repealing an act entitled an act to increase the jurisdiction of the justices of the peace in Marion county and other counties, approved February 13, 1891, so far as the same relates to Marion county.

C. E. Mitchell.

H. 525. To amend section 3931 of the Code of Alabama so far as the same relates to Pike county.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

(Copy.)

Notice is hereby given that application will be made to the Legislature of Alabama when it convenes in Jan., 1907, to amend section 3931 of the revenue code of Alabama so as not to require the tax assessor of Pike county to visit any of the election precincts of Pike county except the precinct in which the court house of said county is located.

(Copy.)

The State of Alabama, }
Pike County. }

Before me, Ralph T. Barr, a notary public in and for said county, personally appeared Sidney Herbert Blan, who, being by me first duly sworn, deposes and says that he is editor and publisher of the Troy Messenger, a newspaper published in Pike county, Alabama, and that the foregoing notice was published in said newspaper, without cost to the State, once a week for four consecutive weeks prior to the 19th day of January, 1907.

Sidney Herbert Blan.

Subscribed and sworn to before me this 19 day of January, 1907.

Ralph J. Barr, N. P.

H. 129. To repeal an act entitled an act to establish a board of police commissioners for the city of Bessemer, Alabama, to provide for the appointment of such commissioners, to define their powers and duties and to regulate the police department of the city, approved March 3rd, 1903.

~~And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:~~

The State of Alabama, }
County of Jefferson. }

Personally appeared before me, the undersigned authority, A. K. Williamson, who, being by me duly sworn, deposes and says, on oath, that he is the president and manager of the Workman Publishing Company; that the Bessemer Workman is a newspaper published in the city of Bessemer, Jefferson Co., Alabama; and affiant further says on oath that the following printed notice pasted to this affidavit was published once a week for four consecutive weeks in the said Bessemer Workman beginning on November 7th, 1906.

A. K. Williamson,
President and Manager.

Subscribed and sworn to before me on this the 3rd day of January, 1907.

Edgar L. Mitchell,
Notary Public.

NOTICE TO THE PUBLIC.

Pursuant to constitutional requirements, notice is hereby given that a bill will be introduced at the next session of the Legislature of the State of Alabama for the purpose of repealing an act approved on the 3rd day of March, 1903, entitled an act to establish a board of police commissioners for the city of Bessemer, Alabama, to provide for the appointment of such commissioners, to define their powers and duties and to regulate the police department of the city.

H. 690. To require the county board of education of Wilcox county to audit and pass upon the accounts of

the district trustees of the several school districts in Wilcox county, of the funds paid over to them by the superintendent of education of Wilcox county, arising out of the dispensary at Camden to be used by them for school purposes.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Wilcox County. }

Personally appeared before me, John Miller, a notary public in and for said county and State, J. R. Foster, business manager of the Wilcox Banner, who, being by me first duly sworn as the law requires, deposes and says that he is the business manager of the Wilcox Banner, a newspaper published weekly in the town of Camden, Wilcox county, Alabama, and that the notice hereto attached, requiring the board of education to audit and pass upon the accounts of the trustees of the several school districts of Wilcox county for funds arising from the Camden dispensary, was inserted in the Wilcox Banner on the 10th day of January, 1907, and appeared consecutively four times in said paper, viz.: January 10th, 17th, 24th and 31st in the year 1907.

J. R. Foster,
Business Manager Wilcox Banner.

Given under my hand and seal this 8th day of February, 1907.

Jno. Miller,
Notary Public, Wilcox County, Alabama.

H. 817. To repeal an act, entitled an act to provide a fund to be used exclusively for the support of a paid fire department in the city of Mobile, approved February 21st, 1889.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that application will be made to the Legislature of Alabama to repeal an act entitled

"An act to provide a fund to be used exclusively for the support of a paid fire department in the city of Moblie."
—Acts of Alabama 1888-89, page 492, etc.

The State of Alabama, }
Mobile County. }

~~Before me personally appeared~~ John B. Rapier, secretary of the Mobile Register Company, who, being first duly sworn, deposes and says that the attached notice has been regularly published one time a week for four successive weeks, viz.: 22 and 29 of Jan., 5, 12 of Feb., 1907, in the Mobile Register, a newspaper published in said county and State.

John B. Rapier.

Sworn to and subscribed before me this 9th day of February, 1907.
(SEAL) Walter Horn,
Notary Public, Mobile Co., Ala.

H. 134. To provide for the assessment and collection of poll taxes.

And sends the same to the Senate.

H. 847. To provide for the payment of the salary of the judge of the city court of Anniston, and to fix the amount of the same at thirty-five hundred dollars.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Calhoun County. }

Before me, A. H. Shepperd, clerk of the city court of Anniston, personally appeared Milton A. Smith, who, being duly sworn, deposes and says, that he is the editor and proprietor of the Daily Hot Blast; that the said Daily Hot Blast is a newspaper of general circulation, published and issued in Anniston, Calhoun county, Alabama, and that the notices of local laws hereto attached have been published in said newspaper once a week for four consecutive weeks.

Milton A. Smith.

Sworn to and subscribed before me, this the 22nd day of February, 1907. A. H. Shepperd, Clerk.

NOTICE OF LOCAL LAWS.

Notice is hereby given that application will be made to the next Legislature of Alabama to enact a law providing in substance for the payment of the salary of the judge of the city court of Anniston monthly and to fix the same at an amount not to exceed thirty-five hundred dollars (\$3,500.00) per annum.

NOTICE OF LOCAL LAWS.

Notice is hereby given that application will be made to the next Legislature of Alabama to enact a law providing in substance that the salary of the judge of the city court of Anniston shall be paid by the State of Alabama out of the State treasury, or in part by the State and in part by Calhoun county.

H. 687. To repeal all statutes and laws establishing county courts, and proceedings therein, with monthly terms, for the trial of misdemeanors, (code 4593 et seq.) so far as the county of Madison is concerned.

And sends the same to the Senate with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Madison County. }

Before me, W. F. Esslinger, a notary public in and for said State and county, this day personally appears Roy O'Neal, who, being duly sworn, says that the following notice of intention to apply for local law, to-wit:

NOTICE OF INTENTION TO APPLY FOR LOCAL LAW

Notice is hereby given that a bill will be introduced in the Legislature of Alabama at its session beginning the second Tuesday in January, 1907, repealing all statutes and laws establishing county courts and proceedings therein, with monthly terms, for the trial of misdemeanors, so far as the county of Madison is concerned, and repealing all conflicting laws.

Was published once a week for four consecutive weeks upon the following dates, to-wit: January 2, 9, 16, and 23, 1907, in the Evening Banner, a newspaper published in said county of Madison, and that affiant is the editor and publisher of said newspaper.

Roy O'Neal.

~~Sworn to and subscribed before me this the 24th day of January, 1907.~~

W. F. Esslinger, Notary Public.

H. 797. To require the commissioners' court of Marion county to advertise for bids for the building of public bridges and other public improvements for at least thirty days before the same is let in some newspaper published in said county and to provide for the manner of letting or receiving bids for same.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that I shall apply to the Legislature, session 1907, for a law to require the commissioners' court of Marion county to advertise for bids for the building of public bridges and other public improvements for at least thirty days before the same is let in some newspaper published in said county and to provide for the manner of letting or receiving bids for same.

C. E. Mitchell.

The State of Alabama, }
Marion County. }

Before me, Mack Pearce, judge of probate in and for said State and county, this day personally appeared G. J. Wilson, who, being by me first duly and legally sworn, deposes and says, that he is editor and publisher of the Marion County News, a weekly newspaper published at Hamilton, insaid Marion county, Alabama, and that a certain notice, a true and correct copy of which is hereto attached, was inserted in said Marion

County News and was published once a week for four consecutive weeks in said newspaper before the making of this affidavit.

J. G. Wilson, Pub. News.

Sworn to and subscribed to before me this the 3rd day of January, A. D., 1907.

Mack Pearce, Judge of Probate.

H. 720. To repeal an act, entitled "an act to prohibit the selling, giving away or otherwise disposing of vinous, spirituous or malt liquors, intoxicating cider, bitters or beverages within a radius of six miles of the Methodist church in Gordon, Houston county, Alabama," approved February 6th, 1897.

And sends the same to the Senate with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that application will be made to the present session of the Legislature, to pass the following law:

AN ACT,

To repeal an act, entitled, "An act to prohibit the selling, giving away or otherwise disposing of vinous, spirituous, or malt liquors, intoxicating cider, bitters or beverages, within a radius of six miles of the Methodist church in Gordon, Houston county, Alabama," approved February 6th, 1897.

Section 1. Be it enacted by the Legislature of Alabama that an act to prohibit the sale, giving away or otherwise disposing of vinous, spirituous or malt liquors, intoxicating cider, bitters or beverages, within a radius of six miles of the Methodist church in Gordon, which was formerly in Henry, but now in Houston county, Alabama, and which was approved February 6th, 1897, be and the same is hereby repealed.

Section 2. That all laws and parts of laws in conflict with this act, be and the same is hereby repealed.

Section 3. That this act shall go into effect immediately upon its passage.

Benjamin Snead,
W. E. McEachern.

The State of Alabama, }
County of Houston. }

Before me, Nannie McAliley, a notary public in and for said county, personally came W. F. Ussery, known to me to be the editor and manager of Wire-Grass Siftings, a weekly newspaper published in said county, who, being by me duly sworn, deposes and says that he is the editor and manager of Wire-Grass Siftings, a weekly newspaper that is published at Dothan in Houston county, Alabama, that the attached notice was published once a week for four successive weeks in said newspaper, before the making of this affidavit.

W. F. Ussery.

Sworn to and subscribed before me, this the 9th day of February, A. D., 1907.

Nannie McAliley,
Notary Public.

H. 360. To prohibit the selling, giving away or otherwise disposing of spirituous, vinous or malt liquors or other intoxicating liquors or beverages in any of the voting precincts of Crenshaw county, Alabama, and to make it unlawful for the probate judge of said county to issue licenses to any person, firm or corporation, to sell, give away or otherwise dispose of spirituous, vinous or malt liquors or other intoxicating liquors or beverages in any precinct of said county until the proposition shall have first been submitted to the qualified voters of the precinct in which the aforesaid liquors are to be sold, given away or otherwise disposed of, and to provide for an election therefor and the expense of holding an election and to punish the violations of the provisions of this act.

And sends the same to the Senate with notice and proof attached and herewith exhibited as follows:

Notice is hereby given that the following bill will be presented for enactment into law by the Legislature of Alabama, at the session beginning Jan. 8, 1907:

A BILL

To be entitled "An act to prohibit the selling, giving away, or otherwise disposing of spirituous, vinous, malt, or other intoxicating liquors in any of the voting precincts of Crenshaw county, Alabama, until the proposition shall have been submitted to the qualified voters of the precinct in which the afore-said liquors are to be sold, given away, or otherwise disposed of, and to provide for an election therefor and the expense of holding an election and to punish the violations of the provisions of this act.

Section 1. Be it enacted by the Legislature of Alabama, That it shall be unlawful for the probate judge of Crenshaw county, Alabama, to issue a license to any person, firm, or corporation to sell, give away, or otherwise dispose of spirituous, vinous, malt, or other intoxicating liquors in any voting precinct in said county, unless the qualified voters of the precinct in which the same is to be sold, given away, or otherwise disposed of, shall have first voted thereon, and a majority of the qualified voters of such precinct voting in favor of the same.

2. That upon the filing of a petition with the probate judge of said county, signed by twenty householders and freeholders of the precinct in which it is proposed to sell, give away, or otherwise dispose of spirituous, vinous, malt, or other intoxicating liquors, accompanied with forty (40) dollars, or as much thereof as may be necessary, to defray the expenses of holding such an election, the probate judge of said county shall call an election in such voting precinct to be held on the first Monday after the expiration of thirty days from the filing of such petition. Provided, that only one election

shall be called in a voting precinct in a calendar year.

3. That said election shall be held at the regular voting place or places in such voting precinct and shall be held and conducted and returns made under the general election law of the State except as herein provided.

4. That upon the calling of such election the probate judge of said county shall appoint three managers, two clerks and one returning officer for each voting place in said voting precinct, who shall be reputable men and qualified electors in the voting precinct in which such election is to be held, and they shall be allowed the same pay as is now allowed to managers, clerks and returning officers under the general election law, to be paid to them by the probate judge out of the money deposited with him for that purpose, and the balance of said sum shall be used by him in paying for the poll lists, tally sheets, and other blanks, and for his trouble in the premises.

5. That upon the calling of such election the probate judge shall have printed a sufficient number of poll lists, tally sheets, ballots and other blanks provided for in the general election law; the ballots shall be printed with black ink on white paper and shall have printed on them the words: "For liquor license," "Against liquor license," and shall be so placed on the ballot that the voter may express his desire by making a X before "For liquor license" or "Against liquor license," as he may desire to vote.

6. That the probate judge shall within five days after receiving the returns from such election, open and canvass the returns, and if it shall appear from such returns that a majority of the qualified voters of the voting precinct in which such election was held voted in favor of spirituous, vinous, malt, or intoxicating liquors being sold in said voting precinct, then the probate judge shall issue license to any one applying for the same who comes up to the qualifications in every respect as is now required by law, and if it shall appear from such election returns that a majority of the qualified electors of the voting precinct in which such election was held voted against the issue of liquor license

then the probate judge shall not issue a license to any one to sell, give away, or otherwise dispose of intoxicating liquors in said voting precinct.

7. That any person violating any of the provisions of this act shall be guilty of a misdemeanor, and on conviction shall be fined not less than twenty-five nor more than five hundred dollars, and may also be sentenced to hard labor for the county for not more than six months.

3. That all laws and parts of laws in conflict with this act be, and the same are hereby repealed, in so far as the same pertains to Crenshaw county. Provided, that this act shall not apply to or effect any act establishing a dispensary or any incorporated town nor to repeal any act incorporating any church or school house in Crenshaw county.

AFFIDAVIT OF PUBLISHER.

The State of Alabama, }
Crenshaw County. }

Personally appeared before me, A. B. Brooks, register in chancery for said county, H. Y. Brooke, who, being by me first duly sworn, deposes and says, that he is the editor and proprietor of the Crenshaw County Critic, a weekly newspaper published at Luverne, county of Crenshaw, State of Alabama, and that the notice of intention to pass a bill to prohibit the selling of liquor in Crenshaw county, Ala., except as therein provided, a copy of which is hereto attached, was published in said paper for thirty days prior to the date of this affidavit; that the first insertion was in the issue of Thursday, the 13th day of Dec., 1906, and that the last insertion was in the issue of Thursday, the 10th day of Jan., 1907.

H. Y. Brooke.

Subscribed and sworn to before me this 17th day of January, 1907.

A. B. Brooks,
Register in Chancery.

H. 742. To prohibit the sale of intoxicating liquors of every kind, within three miles of the public school house at Creola, Mobile county, Alabama, and to provide a penalty for the violation of this act.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
 County of Mobile. }

Before me, G. F. McMillan, Jr., a notary public in and for said State and county, personally appeared Thos. B. Allman, who, being sworn, says on oath that he is cashier of the Mobile Daily Herald, a newspaper published at Mobile, in the county and State aforesaid, and as such makes this affidavit; that the notice of the intention to apply to the Legislature of Alabama for the passage of a local, private or special law, hereto attached, was published in said newspaper once a week for four consecutive weeks beginning the 3rd day of January, 1907, and ending the 24th day of January, 1907.

Thos. B. Allman.

Sworn to and subscribed before me this 28th day of January, 1907.

B. F. McMillan, Jr.,
 Notary Public, Mobile Co.

NOTICE OF LOCAL LAW.

Notice is hereby given of the intention to apply to the Legislature of Alabama for the passage of a local or special law, the substance of which proposed law is to prohibit the sale of intoxicating liquors of all kinds within three miles of the public school house of Creole, Mobile county, and to provide a penalty for a violation of the law.

Cyrus B. Brown, Clerk.

HOUSE MESSAGE.

The House bills in the foregoing House message were severally read once and referred to appropriate standing committees as follows:

H. 469, to Education.

H. 705, 766, 551, 686, 224, 525, 129, 690, 817, 847, 797, to Local Legislation.

H. 774, 687, to Judiciary.

H. 795, 720, 360, 742, to Temperance.

H. 134, to Finance and Taxation.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has received the accompanying message from his excellency, the governor, proposing an amendment to the following House bill:

H. 692. To amend sections 6, 9, 10, 16, 17 19 and 20 of an act entitled an act "To provide for the redistricting of the public schools of the State and for the management and control of the same," approved Sept. 30th, 1903.

And the House has concurred in and adopted the amendment proposed by the governor to the said bill by a majority vote of the whole House, the vote on said amendment being: Yeas, 65; nays, 5.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

The Senate concurred in and adopted the amendment proposed by the governor to H. B. 692, by a majority vote of the whole Senate.

Said amendment being as follows, to-wit:

1. Amend section 5 of said act by inserting therein immediately after the word "superintendent of education of the State" the following words: "By and with the consent and approval of the governor."

Yeas, 18; nays, 0.

Yeas:

Messrs:

Gardner	Hinson	Overton	Strother
Gunn	Lowe	Reese	Teasley
Hamburger	Lusk	Reid	Thomas
Hamner	Merritt	Reynolds	Wilson
Hayes	McWhorter		

—18.

REFERENCE OF BILL.

Mr. Merritt, from the committee on Local Legislation, returned Senate bill 386:

S. 386. To prohibit, regulate and restrict the running at large of any stock or cattle within the State of Alabama by providing for elections in the various counties or subdivisions of counties of the State to determine whether the running at large of stock or cattle shall be prohibited, regulated and restricted.

And on motion same was referred to the committee on Agriculture.

RESOLUTIONS.

Mr. Lusk offered the following resolution, which was under a suspension of the rules, adopted:

Resolved, by the Senate, the House of Representatives concurring, that when the Legislature adjourns today, Friday, July 12th, it be to reconvene Tuesday, July 16th, at the hour of meeting as fixed by the rules of each House, committees to sit during the recess.

Mr. Reynolds offered the following resolution, which was under a suspension of the rules, adopted:

Resolved by the Senate, the House concurring, that the governor is hereby requested to return to the Senate for its further consideration, Senate bill number 332. Said bill is entitled "An act to authorize the court of county commissioners of Perry county to appropriate the sum of \$250.00 per year to the use of the county board of education of said county to be used for educational purposes."

TAKEN FROM ADVERSE CALENDAR.

Previous notice having been given, Mr. Gardner's motion to take from adverse calendar and place on the calendar House bill No. 135:

H. 135. To prevent the shipment, transportation or delivery by any person, firm or corporation, of any spirituous, vinous or malt liquors or intoxicating bitters from any point in the State of Alabama, outside of a prohibition district, to any point in the State of Alabama where spirituous, vinous or malt liquors or intoxicating bitters are prohibited by sale by law.

Which motion was carried and said bill was read a second time and placed on the calendar.

BILL ON THIRD READING.

Mr. Lusk called up the special order for this hour, which was:

S. 344. To further regulate opening, closing, keeping and selling or giving away spirituous, vinous or malt liquors under a license operating saloons in the State of Alabama, and to punish the violation thereof.

Mr. Lusk offered the following as a substitute to said bill, to-wit:

A BILL.

To be entitled an act to further regulate the opening, closing and operating saloons, and giving away or selling spirituous, vinous or malt liquors under a license from the State and to punish violations thereof.

Sec. 1. Be it enacted by the Legislature of Alabama, That from and after January first, 1908, it shall be unlawful for any one authorized by license from the State to sell spirituous, vinous or malt liquors, or the employee, agent, or servant of such person to have open or to admit any one or more persons into the house or place wherein spirituous, vinous or malt liquors are

stored, kept or sold, under such license, or to give away or sell any spirituous, vinous or malt liquors in any quantity in or from the house or place where such liquors are stored, kept or sold, before the hour of six o'clock in the morning in any place, town or city; or after the hour of seven o'clock in the evening in places, towns or cities of less than ten thousand inhabitants;

or after the hour of eight o'clock in the evening in towns or cities of not less than ten thousand nor more than fifteen thousand inhabitants; or after the hour of nine o'clock in the evening in cities of more than fifteen thousand inhabitants.

Sec. 2. That any person or persons, having a license to sell spirituous, vinous or malt liquors, or the agent, employee or servant of such persons or persons who directly or indirectly sells or gives or delivers any spirituous, vinous or malt liquors to any person in or from such house or place in which such licenses authorizes the doing of business at any time prohibited by this act shall be guilty of a misdemeanor and on conviction shall be fined not less than fifty nor more than five hundred dollars and may also be imprisoned in the county jail or sentenced to hard labor for the county for not more than six months.

Sec. 3. That when any person is convicted for a violation of this act a copy of such conviction shall be certified by the clerk of the court wherein such conviction is had to the judge of probate of the county and on it being shown to the probate judge that the person or persons having such license or his agent, employee or servant has been convicted for two violations of this act, the probate judge shall cancel such license to sell spirituous, vinous or malt liquors.

Sec. 4. That an indictment for a violation of this act shall be sufficient if it charges: "That—

having a license to sell spirituous, vinous or malt liquors, or being the agent, employee or servant of one having such license did keep open saloon, or sell or give away spirituous, vinous or malt liquors in or from a house or place where such liquors were kept, stored, or

sold, or did admit persons into such house or place at an unlawful hour, and contrary to law, etc.”

Which was adopted.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lusk	Reynolds
Bayles	Hayes	Merritt	Spragins
Blackmon	Heacock	Miller	Strother
Doster	Horton	Moody	Teasley
Forrester	Jones	McWhorter	Thomas
Gardner	King	Reese	White
Glenn	Leith	Reid	Wilson
Hamburger			

—29.

And the bill, as thus amended, was read a third time, at length, and passed.

Yeas, 29; nays, 1.

Yeas:

Messrs:

Barbour	Heacock	Lusk	Reynolds
Blackmon	Hinson	Merritt	Spragins
Doster	Horton	Miller	Strother
Forrester	Jones	Moody	Teasley
Glenn	King	McWhorter	Thomas
Gunn	Leith	Overton	White
Hamburger	Lowe	Reid	Wilson
Hayes			

—29.

Nays: Mr. Hamner—1.

RESOLUTION.

Mr. Merritt offered the following resolution, which on a favorable report from the committee on Rules, was adopted:

Resolved by the Senate, that H. B. 135, be and is hereby set for special, continuing and exclusive order for the next legislative day at 12:30 o'clock.

ORDER TO PRINT.

On motion of Mr. Reese, 500 copies each of fertilizer committee's report, and Senate bill 546, were ordered printed for the use of the Senate.

SPECIAL ORDER.

On motion of Mr. McWhorter, Senate bill No. 61:

S. 61. To establish a colony for epileptics in Alabama, and to provide means for carrying the same into effect.

Was made a special order for Tuesday, July 16th, at 12:30 o'clock.

BILLS ON THIRD READING.

The bill:

S. 110. To regulate the carrying and use of firearms.

Mr. Hinson offered the following amendment:

Amend section 2 by inserting between the words therefor "and shall" in line 2 the following, viz.: "Shall state under oath that the applicant has never been convicted of any crime involving moral turpitude and."

Which was adopted.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Heacock	Merritt	Reid
Bayles	Hinson	Miller	Reynolds
Blackmon	Horton	Moody	Teasley
Gardner	Jones	McWhorter	Thomas
Glenn	King	Overton	White
Gunn	Leith	Reese	Wilson
Hamburger	Lusk		

—26.

Mr. Reid offered the following amendment:

Amend by striking out section 10; also by striking out all that portion of section 11, from the beginning

down to and including the words, "no application" in the 7th line of said section as shown by printed copy.

Which was adopted.

Yeas, 23; nays, 4.

Yeas:

Messrs:

Barbour	Heacock	Lusk	Spragins
Gardner	Horton	Merritt	Strother
Glenn	Jones	Miller	Thomas
Gunn	King	Moody	White
Hamner	Leith	McWhorter	Wilson
Hayes	Lowe	Reid	

—23.

Nays:

Messrs:

Blackmon	Doster	Hinson	Feasley
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—4.

Mr. Spragins moved to indefinitely postpone the bill, pending the consideration of which,

RECESS.

The hour of 1:30 o'clock p. m. having arrived, the Senate took a recess until 3 o'clock this afternoon.

AFTERNOON SESSION.

July 12, 1907.

The Senate reassembled at 3:30 o'clock p. m.

UNFINISHED BUSINESS.

The Senate proceeded to consider the unfinished business brought over from the morning session which was the bill:

S. 110. To regulate the carrying and the use of fire-arms.

Mr. Teasley moved to table Mr. Spragins' motion to indefinitely postpone the bill and amendments, which motion was carried.

Mr. Merritt offered the following amendment, to-wit:

Amend S. B. 110 by striking out the words in section 5 of said bill and in lines 5 and 6 as follows: "to wear in a conspicuous place on his person the badge herein-after described when he has such pistol concealed about his person."

And by striking out section 6 of said bill.

Which amendment was adopted.

Yeas, 22; nays, 7.

Yeas:

Messrs:

Barbour	Heacock	Lusk	Spragins
Gardner	Horton	Merritt	Strother
Glenn	Jones	Miller	Thomas
Gunn	King	McWhorter	White
Hamner	Leith	Reid	Wilson
Hayes	Lowe		

—22.

Nays:

Messrs:

Blackmon	Forrester	Hinson	Teasley
Doster	Hamburger	Reese	

—7.

Mr. Jones offered the following amendment:

Amend section 1 by striking out the words "rifle, shot gun or other fire arms."

And amend section 4 by making it read as follows:

"The license tax to carry a pistol shall be ten dollars."

Which amendment was adopted.

Yeas, 20; nays, 4.

Yeas:

Messrs:

Barbour	Jones	Merritt	Spragins
Forrester	King	Miller	Strother
Hamner	Leith	Moody	Teasley
Hayes	Lowe	Overton	White
Heacock	Lusk	Reid	Wilson

—20.

Nays:

Messrs:

Doster

Gardner

Hinson

Thomas

—4.

PAIRS.

Mr. Blackmon announced that he and Senator Glenn had paired on the bill and amendments; that Mr. Glenn would vote I, if present, and he would vote no on the amendment.

Mr. Moody offered the following amendment:

Amend by striking out sections 2 and 3 of the bill.

Pending the consideration of which,

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted Senate joint resolution No. 61, relative to adjournment of Legislature from Friday, July 12th, 1907, to reconvene on Tuesday, July 16th, 1907.

And the Speaker of the House having signed the following joint resolution your signature thereto is requested:

H. J. R. 224. To appoint a committee to investigate the Alabama Insane Hospital at Tuscaloosa.

And the House has concurred in Senate joint resolution, relative to recalling Senate bill 332, from the governor, and herewith returns same to the Senate.

Cyrus B. Brown,
Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after its title had been publicly read at length by the secretary, signed the above House joint resolution, the title of which is set out in the foregoing message from the House, the reading at length of which having been dispensed with, by a two-thirds vote of a quorum of the Senate present.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has adopted the following joint resolution and sends the same herewith to the Senate:

H. J. R. 244. Resolved by the House, the Senate concurring, that the House and Senate meet in joint convention ~~in the Hall of the House of Representatives at~~ 4:30 p. m. today to pay tribute to the life, character and services of the late Speaker of the House of Representatives, Hon. William L. Martin.

And the House has originated and passed the following bill, and has ordered same sent forthwith to the Senate without engrossment:

H. 713. For the relief of L. W. Kolb, to refund certain moneys illegally collected from him in Dale county as State licenses.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows, to-wit:

NOTICE OF APPLICATION.

Notice is hereby given that application will be made to the present session of the Legislature of Alabama, for the relief of the undersigned, and to refund to him certain monies, illegally collected by the State from him, to engage in or carry on the business of selling sewing machines in Dale county, for the year 1904.

Jan. 15th, 1907.

L. W. Kolb.

The State of Alabama, }
Dale County. }

I, H. L. Martin, editor and publisher of The Ozark Tribune, a weekly newspaper published in Ozark, Dale county, Ala., do herein and hereby certify that the notice hereto attached of the application of L. W. Kolb, ~~was published in said newspaper four (4) times weekly,~~ embracing Jan. 19, Jan. 26, and Feb. 2, and Feb. 9, 1907.

(Signed) H. L. Martin,
Ed. and Pub'r.

Sworn to and subscribed before me, this 11th day of February, 1907.

H. B. Mansfield,
Justice of the Peace, Beat 1, Dale County, Alabama.
Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

The House bill in the foregoing House message was read once and referred to appropriate standing committee as follows:

H. 713, to Finance and Taxation.

And the Senate concurred in the House joint resolution No. 244 relative to holding memorial services on the death of the late Speaker of the House, Hon. Wm. L. Martin.

MEMORIAL SERVICES.

The hour of 4:30 o'clock p. m. having arrived, the Senate repaired to the Hall of the House of Representatives to participate in paying tribute to the life, character and services of the late Speaker of the House of Representatives, Hon. William L. Martin.

After some time spent therein, and the purpose of the joint convention having been accomplished, the convention was dissolved and the Senate returned to its chamber.

ADJOURNMENT.

The hour of 5 o'clock p. m. having arrived, the Senate adjourned until Tuesday, July 16, 1907.

1808

FORTIETH DAY.

July 16, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Crawford, of Union Springs, Ala.

ROLL CALL

On a call of the roll the following Senators answered to their names:

Mr. President, and,

Messrs:

Barbour	Hamner	Lusk	Reynolds
Bayles	Hayes	Merritt	Spragins
Blackmon	Heacock	Miller	Strother
Doster	Hinson	Moody	Teasley
Forrester	Horton	McWhorter	Thomas
Gardner	Jones	Overton	White
Glenn	King	Reese	Wilson
Gunn	Leith	Reid	Wimberly
Hamburger	Lowe		

—34.

JOURNAL.

On motion of Mr. Merritt the reading of the Journal was dispensed with and the same was approved

PRIVILEGES OF THE FLOOR.

Were granted for today to Messrs. Calahan, of Cullman; Lieut. Gov. Cunningham, Jos. W. Goldsby, of Mobile; Judge A. H. Alston, of Clayton, and Hon. Tom. S. Frazier, of Union Springs.

INTRODUCTION OF BILLS.

On a call of the districts, bills were introduced, read one time and referred to appropriate standing committees as follows:

By Mr. Lusk:

S. 549. To secure the attendance of witnesses for the State in criminal cases and to authorize judges to require surety or imprison.

Judiciary.

By Mr. Blackmon:

S. 550. To exempt gas meters containing a nickle-in-the-slot or other similar device from the payment of the tax levied on slot machines.

Revision of Laws.

By Mr. Overton:

S. 551. To submit to the qualified electors of the State at the general election to be held on the first Tuesday after the first Monday in November, 1908, for their consideration an amendment to section 93 of article IV of the constitution so as to provide that the State may under appropriate laws cause the net proceeds from the State convict fund to be applied to the construction, repair and maintenance of public roads for the State and the Legislature may also make additional appropriations for that purpose.

Constitution and Constitutional Revision and Amendment.

By Mr. Strother:

S. 552. To fix the times and places of holding the chancery court in the northeastern chancery division of Alabama.

Judiciary.

By Mr. Strother:

S. 553. To amend section two (2) and three (3) of an act entitled an "Act to amend section 897 and 911 of chapter 19, article 1 of the Code of Alabama.

Judiciary.

By Mr. Strother:

S. 554. To amend section 660 of the Code of Alabama of 1896.

Judiciary.

S. 555. To amend section 745 of the Code of Alabama of 1896.

Judiciary.

By Mr. Strother:

S. 556. To amend section 660 of the Code of Alabama of 1896.

Judiciary.

By Mr. Leith:

S. 557. To create the office of official stenographer for Walker county, Alabama, to provide for his appointment, ~~fix his compensation and define his duties, and~~
provide for special stenographers in certain cases.

Local Legislation.

With notice and proof as follows:

NOTICE.

Notice is hereby given that a bill will be introduced in the present session of the Legislature of Alabama, substantially as follows, to-wit:

A BILL

To be entitled an act, to create the office of official stenographer for Walker county, Alabama; to provide for his appointment, fix his compensation and define his duties, and to provide for special stenographers in certain cases.

Be it enacted by the Legislature of Alabama, as follows:

Section 1. That the office of official stenographer for Walker county, Alabama, is hereby created, and the judge of the probate court, the judge of the law and equity court and the judge of the circuit court of said county, are hereby authorized to appoint an official stenographer for said county, and such appointment may be made by a majority of said judges.

Sec. 2. That the first stenographer appointed under this act shall serve until the end of the year 1907; that such subsequent term shall be for one year, commencing on January 1, and ending on December 31, thereof. Such stenographer shall receive a salary of one hundred (\$100.00) dollars per month, payable by Walker county on the warrant of the probate judge drawn on the treasurer thereof.

Sec. 3. It shall be the duty of said stenographer to attend all trials in the probate court, where the testimony is taken orally, all trials in the law and equity court, except in equity cases, and all trials in the circuit court of said county, and report at length the testimony offered and the rulings and oral charges of the court in each case, provided he is requested to do so by the trial judge or either party to the cause.

Sec. 4. That said stenographer shall, within ten days, on being directed to do so by the trial judge (and it shall be the duty of such trial judge to make the request immediately on notice by either party that an appeal is to be taken) make an original and at least two carbon copies of the matter so taken on the trial as provided in the preceding section, and deliver or mail the trial judge and a carbon copy to one of the attorneys for each of the parties.

Sec. 5. Should two or more of said courts be engaged at the same time in the trial of cases of the character to be reported by the stenographer, as provided in section 3 of this act, then such stenographer shall serve during such time as directed by the judge of probate of said county, whose duty it shall be to see to it that preference in such matters is given to the trial of important criminal cases.

Sec. 6. That the judge of either of said courts shall, whenever a cause of the character to be reported by the stenographer as provided in section 3 is about to be called for trial, be authorized to appoint a special stenographer to report such case. If it is made known to such judge that the regular stenographer will, during such time, be engaged in one of the other courts. Such special stenographer to receive such reasonable compensation as may be fixed by the trial judge, payable by Walker county on a warrant drawn by the trial judge on the treasurer thereof. That said special stenographer shall discharge the same duties, so far as the cases he may report, as the official stenographer for Walker county.

Sec. 7. That before the official, or any special stenographer provided for herein shall enter upon the dis-

charge of his duties he shall subscribe to an oath to support the constitution and laws of the State of Alabama, and faithfully discharge all the duties of such office.

Sec. 8. That the official or any special stenographer may be removed from office by said judges for good cause shown to the satisfaction of such judges of a majority thereof.

Sec. 9. That all stationery to be used by said official or special stenographers, in their capacity as such, shall be paid for by Walker county in the manner now provided for the payment for stationery used by the judge of probate thereof.

The State of Alabama, }
Walker County. }

Before me, John S. Shields, a notary public in and for said State and county, this day personally appeared J. R. Gunter, who, being by me duly sworn, deposes and says, that he is the editor of the Mountain Eagle, a newspaper published in Walker county, Alabama, and that the foregoing notice was, prior to this date and without cost to the State of Alabama, published once a week for four consecutive weeks, beginning January 30th, 1907, in the said Mountain Eagle, a newspaper which is, and was at the time of the publication of said notice, published in the county of Walker and State of Alabama.

J. R. Gunter.

Sworn to and subscribed before me this 8th day of July, 1907.

John B. Shields,
Notary Public.

By Mr. Leith:

S. 558. To establish a dispensary in and for the town of Berry in the county of Fayette, State of Alabama, and to provide for the conduct and regulation of the same.

Temperance.

With notice and proof as follows:

NOTICE.

Is hereby given of the intention to apply for the passage of the following bill at the July session, 1907, of the Legislature of Alabama, to-wit:

AN ACT

To establish a dispensary in and for the town of Berry, in the county of Fayette, State of Alabama, and to provide for the conduct and regulation of the same. Be it enacted by the Legislature of Alabama:

Section 1. That there is hereby established in the corporate limits of the town of Berry, in the county of Fayette, in this State, a dispensary for the said town of Berry, to be conducted and carried on by said town in its corporate capacity, for the buying and selling of spirituous, vinous and malt liquors, subject to the conditions and restrictions in this act contained. The place at which such business is carried on shall be called a dispensary, and said place shall be within the corporate limits of said town. The said town for the purpose of inaugurating said business shall be and is authorized to invest therein a sum of money not exceeding two thousand dollars. The liquors bought and sold therein shall be of the purest and best quality.

Section 2. Said business shall be conducted by said town of Berry through a dispenser and such other officers and agents as it may appoint or select for that purpose. The office of the dispenser for said town is hereby created, and his term of office shall be for one year and until his successor is elected and qualified. The dispenser and said other officers and agents shall be elected by the legislative body of said town. The first dispenser shall be elected as soon as practicable after this act becomes operative.

Section 3. Said dispenser and all other officers, agents and persons employed in said dispensary shall be over the age of twenty-one years, and shall be es-

teemed as honest, temperate, law-abiding and competent to conduct the business for which they are employed, and shall be under the direction and control of said legislative body, shall manage and carry on said dispensary and purchase and sell the liquors for the same, and said town of Berry shall provide the money it wishes him to use in conducting said business. The liquors shall be purchased and sold for cash only, and the purchase and sale of the same except for cash is hereby prohibited.

Section 4. Before entering upon the duties of his office, said dispenser shall make affidavit before an officer authorized to administer oaths, that he will obey all the laws of the State of Alabama and the town of Berry, relative to the sale, giving away or otherwise disposing of liquor of any kind, and he shall also execute a bond in the sum of two thousand, five hundred dollars, payable to the town of Berry, for the honest and faithful discharge of his duties, as such dispenser, such bond to be approved by legislative body of said town. For neglect of duty, incompetency, misfeasance or malfeasance in office said dispenser may be removed from office, such removal to be made by the legislative body, should such vacancy occur in said office of dispenser, the legislative body of such town shall elect his successor, who shall hold office for the term of one year thereafter and until his successor is elected and qualified.

Section 5. The said town of Berry shall pay to its dispenser a salary which shall be fixed by the legislative body of such town before said dispenser is elected. Said salary shall not be less than one hundred dollars per annum, nor more than one thousand dollars per annum, and shall be paid in equal monthly installments on the first day of each month. Said legislative body shall not make or permit the amount of said salary or ~~that of any of its officers or agents to depend on the~~ amount of sales that may be made by the dispenser.

Section 6. The dispenser shall not sell or permit the sale of any liquor of any kind in any quantity less than one-half pint and he shall not make or permit to be made any sale after 6 p. m. of one day, or before 6 a. m. of

the next day. Said dispensary shall not be kept open or any person admitted therein between the hours of 6 p. m. and 6 a. m. following.

Section 7. Said dispenser shall not drink, consume or give away liquor of any kind or in any quantity on the premises on which said dispensary is located. Said dispenser shall not permit or suffer any person to drink, consume or give away any liquor of any kind on said premises, but this section shall not be construed so as to prohibit the dispenser or some employee designated by him from sampling liquors which he may contemplate purchasing. Said dispenser shall report to the grand jury any person who violates any of the provisions of this section.

Section 8. Any person who consumes any liquor on said premises, except as permitted in section 7 of this act, shall be guilty of a misdemeanor, and on conviction, shall be fined not less than fifteen nor more than fifty dollars.

Section 9. Said dispenser shall not sell or permit to be sold, any spirituous, vinous or malt liquors or intoxicating drinks of any kind, that are not contained in sealed packages. He shall not receive or keep any broken packages in said dispensary. If any original packages should be broken, the contents shall at once be bottled and the bottles sealed.

Section 10. The dispenser shall buy and sell for cash only. He shall keep an accurate account of his purchases and the amount of each day's sales. He shall make to the legislative body of the town of Berry, weekly reports on such forms and under such directions, rules and regulations as said legislative body may require, and he shall give full and accurate information as to the conditions, expenses, profits, losses and status of the business in writing or orally, or both, whenever and as often as said legislative body, or any member of said body, shall require, and pay into the treasury of said town, the funds received by him from the sale of liquor as may be required by the rules and regulations adopted by said town. Subject to the provisions of this

act, the legislative body of the town of Berry shall regulate and control the management of said business.

Section 11. No spirituous, vinous or malt liquors of any kind, shall be sold in said town of Berry except as herein provided, and any person who violates this section, shall be guilty of a misdemeanor, and on conviction, shall be fined not less than fifty, nor more than one hundred dollars.

Section 12. The term legislative body where it appears in this act, is intended to include the law-making body of the town of Berry, whether the same be called the mayor and council of the town of Berry, the intendment and council of the town of Berry, or mayor and city council of Berry, or by whatever name it may be called.

Section 13. No doors, gates, windows or other openings with adjacent houses, so as to permit ingress and egress into and out of such house from and into said dispensary shall be allowed.

Section 14. All laws and parts of laws in conflict with the provisions of this act are hereby repealed.

Section 15. This act shall go into effect immediately, upon its passage.

Section 16. For the dispensary operated under the provisions of this law, the town of Berry shall annually pay into the Treasury of the State of Alabama, as a license tax, the same amount of money that in the year 1906 was required to be paid by a retail liquor dealer doing business in town of Berry, or such license tax as may hereafter be required by law to be paid by dispensaries in this State.

Section 17. The officers and agents engaged in said dispensary may be removed or dismissed at the will of the legislative body, of said town, except said dispenser, who may be removed by said legislative body for neglect of duty, incompetency, misfeasance, or malfeasance in office, of which said legislative body shall be the sole judge

The State of Alabama, }
Fayette County. }

Before me, Cecil A. Beasley, a notary public in and for said State and county, personally appeared R. J.

Smith, who, being duly sworn upon his oath, says that notice of the intention to apply to the present session of the Legislature of Alabama for the passage of the foregoing bill, to-wit: To establish a dispensary at Berry, Alabama, a copy of which is hereto attached, has been given by publication once a week for four consecutive weeks in the Fayette Banner, a weekly newspaper published in Fayette county, Alabama, and generally circulated in said county, which published notice was made without cost to the State and stated the intention to make application and contained the subsance of the proposed bill, that is to say, a copy of the proposed bill. Affiant further states he is a printer in the office of said paper.

R. J. Smith.

Sworn and subscribed to before me on this the 13th day of July, 1907.

Cecil A. Beasley,
Notary Public.

By Mr. Miller:

S. 559. To refund to Chas. Bassett, Guss Bassett, D. J. O'Connell and T. L. Baker, or their heirs, the sum of three hundred and forty dollars, being purchase money for certain lands heretofore erroneously sold to them by the State of Alabama.

Local Legislation.

With notice and proof as follows:

Notice is hereby given that a bill will be introduced during the session of the Legislature of Alabama, at the session commencing on the 9th day of July, 1907, providing for the relief of Chas. Bassett, Gus Bassett, D. J. O'Connell and F. L. Baker, or their heirs. The relief to be asked for in said bill being to pay or refund to the said Chas. Bassett, Gus Bassett, D. J. O'Connell and T. L. Baker, or their heirs, the purchase money paid by them for certain lands in Winston county, which they bought from the State of Alabama, on September 1st, 1902, said lands having been previously sold to the State for taxes, and it having been recently ascertained that the said lands did not belong to the State of Alabama,

and that said Bassett et al derived no title to the lands at the time of sale to them.

This June 11, 1907.

The State of Alabama, }
Winston County. }

Before me, John S. Curtis, judge of probate in and for said county, personally appeared Geo. W. Adkins, who is known to me to be the editor and publisher of the New Era, a weekly newspaper published in said county, who, being by me duly sworn, deposes and says that the attached notice of a bill for the relief of Chas. Bassett, Gus Bassett, D. J. O'Connell and T. L. Baker, or their heirs, to refund to them the purchase money for certain lands in Winston county, has been published in said paper for four consecutive weeks next prior to the making of this affidavit.

This July 8, 1907.

Geo. W. Adkins,
Editor and Publisher New Era.

Subscribed and sworn to before me this the 8th day of July, 1907.

John S. Curtis,
Judge of Probate.

By Mr. Miller:

S. 560. To provide for the appointment by the judges of the city court of Birmingham, of the necessary bailiffs for said court and to fix the duties, powers, liabilities and compensation of said bailiffs and to provide for the payment of their compensation.

Local Legislation.

With notice and proof as follows:

NOTICE.

Notice is hereby given that at the meeting of the adjourned session of the Legislature of Alabama, July, 1907, a bill in substance as follows, will be introduced for passage:

Section 1. Be it enacted by the General Assembly of Alabama, That the judges of the city court of Birming-

ham be and they hereby are authorized, empowered and required to appoint the necessary bailiffs for said court, not more than six in number, who shall attend the sessions of said court constantly while said court is in session and shall do and perform such duties connected with said court as may be directed by the judges thereof and whose compensation shall be \$60.00 per month for each month they are in constant service and actual attendance upon the sessions of said court and which shall be paid by the county treasurer of Jefferson county out of any funds in the treasury of said county not otherwise appropriated on the first day of each month upon the certificate of the clerk of said court that said bailiffs have for the month past been in actual and constant attendance and service upon the sessions of said court. Each bailiff shall be appointed for not more than one term of said court, and shall be subject to removal at any time by judges thereof.

Section 2. Said bailiffs shall have, while in attendance on said court and executing the orders and the directions of the judges of said court, all the power and authority now possessed and exercised by deputy sheriffs when attending said court and executing the orders of said judges, and shall be accountable on the bonds hereinafter required to be given by them in same manner as the sheriff now is accountable for the acts and omissions of deputy sheriffs attending said court.

Section 3. Each of said bailiffs before entering upon the duties of his office must take the oaths of office required by the constitution and laws of Alabama for executive officers and must each give bond with surety in an amount to be fixed by the judges of said court, payable and conditioned as prescribed in section 3070 of the Code of 1896, which bonds must be approved by the judge of probate of Jefferson county and recorded and filed in his office.

Section 4. Be it further enacted, That all laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

The State of Alabama, }
 Jefferson County. }

Personally appeared before me, J. W. Hargrove, a notary public in and for said county and State, F. K. Gamble, who deposes and says that he is assistant business manager of the Alabama Christian Advocate, a newspaper published in Birmingham, said State and county, and that he is authorized to make this affidavit. He further states that the notice hereto attached was published in the Alabama Christian Advocate for four consecutive weeks, beginning June 6th, 1907, and ending June 27th, 1907, and that the notice hereto attached is a true and correct copy of the notice which appeared in said paper and that said publication was without costs to the State of Alabama.

F. K. Gamble,
 Assistant Business Manager.

Sworn to and subscribed before me this the 6th day of July, A. D., 1907.

J. W. Hargrove.
 Notary Public.

By Mr. Doster:

S. 561. To require each and every officer, each and every official body, tribunal or court whose duty it is to assess or value property for taxation in the State of Alabama, to assess or value the same for taxation at fifty per cent. of its cash market value.

Judiciary.

By Mr. Teasley:

S. 562. For the relief of Charles G. Abercrombie & Company on unexpired license as future dealers.

Finance and Taxation.

With notice and proof as follows:

PROOF OF PUBLICATION.

The State of Alabama, }
 Morgan County. }

Before me, Dan Walden, personally appeared H. E. Hildreth, who, being duly sworn, deposes and says, on oath, that he is the publisher of the New Decatur Ad-

vertiser, a newspaper published in New Decatur, in said county; and further, that the annexed advertisement of Chas. Abercrombie was given publication in said newspaper for the period of four consecutive weeks, beginning June 6th, 1907. (Signed) H. E. Hildreth.

Sworn and subscribed to before me, this 1st day of July, 1907.

Dan Walden,
N. P. and Ex-Offi. J. P.

NOTICE.

Notice is hereby given that a bill will be introduced at the adjourned session, 1907, of the Legislature of Alabama, which re-convenes in July, which bill is in substance as follows:

Whereas, Charles G. Abercrombie was licensed by the State of Alabama to do business as a future dealer for the year 1907, in the city of Decatur, Morgan county, Alabama, paying therefor the sum of \$250.00 to the State of Alabama.

And, whereas, by an act of the Legislature, approved March 7th, 1907, said license was cancelled by reason of the imposition of an additional license for said business, which said Charles G. Abercrombie declined to pay and ceased to do business on April 1st, 1907, leaving an unexpired term of nine months under said license.

Therefore, be it enacted by the Legislature of Alabama, That the auditor is hereby authorized to draw his warrant in favor of said Charles G. Abercrombie on the treasurer of the State of Alabama for the sum of \$187.47, being the amount of said license unexpired on April 1st, 1907.

C. G. Abercrombie.

The State of Alabama,)
Jefferson County.)

Personally appeared before me, D. N. Smith, a notary public in and for said State and county, Jas. J. Smith, publisher of the Birmingham Ledger, a newspaper published in the State and county aforesaid, who, upon oath

says that the notice hereto attached was published in the Birmingham Ledger, one time a week for four consecutive weeks, beginning May 31st, 1907.

James J. Smith.

Sworn to before me this July 1st, 1907.

~~D. N. Smith, Notary Public~~

NOTICE.

Notice is hereby given that a bill will be introduced at the adjourned session, 1907, of the Legislature of Alabama, which reconvenes in July, which bill is in substance as follows:

Whereas, Charles G. Abercrombie & Co. were licensed by the State of Alabama to do business as future dealers for the year 1907 in the city of Birmingham, Jefferson county, Alabama, paying therefor the sum of \$500.00 to the State of Alabama; and,

Whereas, by an act of the Legislature, approved March 7, 1907, said license was cancelled by reason of the imposition of an additional license for said business, which said Charles G. Abercrombie & Co. declined to pay and ceased to do business on April 1st, 1907, leaving an unexpired term of nine months under said license.

Therefore, be it enacted by the Legislature of Alabama, That the auditor is hereby authorized to draw his warrant in favor of said Charles G. Abercrombie & Co. on the treasurer of the State of Alabama for the sum of \$374.94, being the amount of said license unexpired on April 1st, 1907.

C. G. Abercrombie.

AFFIDAVIT OF PUBLICATION.

Huntsville, Ala., July 8th, 1907.

This day personally appeared R. L. O'Neal, Jr., business manager of the daily paper published at Huntsville, Ala., who, being duly sworn, deposes and says

that the notice hereto attached is a true copy of a notice which appeared in said paper for four successive weeks next prior to this date. R. L. O'Neal, Jr.

Sworn to and subscribed before me this the 8th day of July, 1907.
Henry McDannell,
Notary Public.

NOTICE.

Notice is hereby given that a bill will be introduced at the adjourned session, 1907, of the Legislature of Alabama, which reconvenes in July, which bill is in substance as follows:

Whereas, Charles G. Abercrombie & Co. were licensed by the State of Alabama to do business as future dealers for the year 1907 in the city of Huntsville, Madison county, Alabama, paying therefor the sum of \$250.00 to the State of Alabama.

And, whereas, by an act of the Legislature, approved March 7th, 1907, said license was cancelled by reason of the imposition of an additional license for said business, which said Charles G. Abercrombie & Co. declined to pay and ceased to do business on April 1st, 1907, leaving an unexpired term of nine months under said license.

Therefore, be it enacted by the Legislature of Alabama, That the auditor is hereby authorized to draw his warrant in favor of said Charles G. Abercrombie & Co. on the treasurer of the State of Alabama for the sum of \$187.47, being the amount of said license unexpired on April 1st, 1907.
C. G. Abercrombie.

By Mr. Gardner:

S. 563. To amend section 4 and section six of an act entitled an act to regulate running, operating or driving automobiles, locomotives, motor vehicles of like kind upon the public roads and highways of this State, approved October 9, 1903.

Commerce and Common Carriers.

By Mr. Gardner, (by request) :

S. 564. To regulate, by election the issuance of license for the sale of spirituous, vinous and malt liquors, or other intoxicating drinks, to provide for the holding of such an election and to fix a penalty for the violation of the provisions and requirements of this act.

Temperance.

By Mr. Wilson, (by request) :

S. 565. To amend an act entitled an act to provide for the establishment of a bureau to collect, compile and publish cotton statistics and to prescribe the duties and powers of said bureau; to make appropriations for the maintenance thereof; to require ginners and others to make reports thereto and to provide penalties for the violations of the provisions of this act, approved March 5, 1907.

Finance and Taxation.

By Mr. Thomas :

S. 566. To repeal an act entitled an act to define who are delinquent children and to provide for their arrest, care and reformation, approved March 12, 1907.

Revision of Laws.

By Mr. Moody :

S. 567. To authorize incorporated towns and cities of Tuscaloosa county to establish, maintain and operate dispensaries and in and through such dispensaries to buy and sell spirituous, vinous and malt liquors, and to prohibit and punish the selling of liquors and intoxicating drinks in said counties in any other way than by such municipal corporations through their dispensaries; to declare that the violation of certain provisions of this act shall be a misdemeanor and to provide for the punishment thereof; to further regulate the sale of liquors in said county; and to repeal an act entitled, "An act to authorize all incorporated towns, and cities in Tuscaloosa county to buy and sell spirituous, vinous and malt liquors, and to provide for the distribution of certain profits arising therefrom, and to further regulate or pro-

hibit the sale of such liquors in said county," approved on the 27th day of February, 1901. This act not being intended, however, to repeal or affect any existing law under which the sale of liquors in said county may hereafter be prohibited.

Temperance.

With notice and proof as follows:

NOTICE.

Notice is hereby given that when the Legislature of Alabama reassembles a bill will be introduced in that body which will apply to Tuscaloosa county and be substantially as follows, to-wit:

A BILL

To be entitled an act to authorize the incorporated towns and cities of Tuscaloosa county to establish, maintain and operate dispensaries, and in and through such dispensaries to buy and sell spirituous, vinous and malt liquors, and to prohibit and punish the selling of liquors and intoxicating drinks in said county in any other way than by such municipal corporations through their dispensaries; to declare that the violation of certain provisions of this act shall be a misdemeanor and to provide for the punishment thereof; to further regulate the sale of liquors in said county, and to repeal an act entitled "An act to authorize incorporated towns and cities in Tuscaloosa county to buy and sell spirituous, vinous and malt liquors, and to provide for the distribution of certain profits arising therefrom, and to further regulate or prohibit the sale of such liquors in said county," approved on the 27th day of February, 1901; this act not being intended, however, to repeal or affect any existing law under which the sale of liquor in said county may hereafter be prohibited.

Be it enacted by the Legislature of Alabama, as follows,
to-wit:

Section 1. Each incorporated city or town of Tuscaloosa county, except the towns hereafter described, shall have authority to establish, maintain and operate in its corporate name, in its corporate capacity and through ~~its legislative body the business of buying and selling~~ spirituous, vinous and malt liquors, subject to the conditions and restrictions hereinafter mentioned. The places at which said business of buying and selling liquors is carried on shall be called a dispensary. The term "dispensary" in a general sense includes the place at which liquors are stored. But in this act the term when it refers to a particular place refers to the place where liquors are sold. In each of said towns or cities which has a population of ten thousand persons or less, there shall be one dispensary, and only one. In towns or cities that have a population greater than ten thousand, and not exceeding twenty thousand, there may be two dispensaries. In general, there may be in each city a dispensary for every ten thousand of its population. Cities whose population is over twenty thousand, and between multiples of ten thousand, may have a dispensary for every ten thousand of its population and an additional dispensary for the excess of its population over the lower one of the said multiples. But no dispensary shall be established in a town that has less than three hundred inhabitants. The population of towns and cities shall be determined by the last preceding general census. These dispensaries shall be established and carried on only within the corporate limits of such towns or cities. Each municipality that carries on such business shall invest in the business at the outset a sum of money not less than three hundred dollars, nor more than ten thousand dollars, for each dispensary it may establish and carry on. ~~The liquors bought and sold as~~ herein provided, shall be of the purest and best quality.

Sec. 2. The office of purchasing agent for the dispensary is hereby created, and there shall be a purchasing agent for each dispensary that may be established. The first purchasing agent for any dispensary that is or may

be established in said county shall be elected within sixty days after the approval of this act, and the term of office of said purchasing agent shall begin on October 1, 1907, and continue during the remainder of said year 1907, and after said year 1907 for two years. The term of their successors in office shall be two years. Purchasing agents shall not hold office for more than two terms in succession. But the filling of a vacancy shall not be considered as one of said successive terms. Under all events, however, such purchasing agent shall hold office until his successor is elected and qualified. The purchasing agent shall deliver to his dispenser, the man who fills an office hereinafter created, all the liquors that are to be sold in the dispensary. The purchasing agent is authorized to employ a chemist to inspect and analyze any liquors which he contemplates purchasing, or has already purchased, and he shall not deliver to the dispenser any liquor which the chemist has pronounced unsuitable for use. Said agent shall return such liquors to the person, firm or corporation from whom he bought them and make reclamation therefor if he has already paid for the same. He may buy in bulk and have the liquors put in bottles. Whiskies, brandies and gin shall be put in bottles that hold only one pint, in bottles that hold only one-half of a pint, in bottles that hold only one-fourth of a pint, in bottles that hold only one-eighth of a pint, and in bottles that hold only one-sixteenth of a pint to the end that persons may be able to buy whiskies, brandies and gin in the small quantities above mentioned. But no whiskies, brandies or gin shall be put in bottles that hold more than one pint. The premises in which the bottling is done shall be different from those in which the dispensary is situated. But they shall be in the same town as the premises of the dispensary. The place where the liquors are received and bottled and from which they are sent to the dispensary shall be called the storage room. The storage room shall be a part of the dispensary. But when the term dispensary is used in this act to designate a particular place it refers, unless the contrary is indicated by the context, to the place where liquor is

sold, and not to the storage room. This storage room shall not be open and work shall not be done in the same between the hours of 6 p. m. of one day and 6 a. m. of the next day. The purchasing agent shall pay cash for all liquors purchased by him by drawing his warrant on the dispenser, and the dispenser shall pay said warrant. The purchasing agent shall not sell or give away any liquor whatever. Each purchasing agent shall select and appoint each and every assistant, servant and employe that may be used in or about his work, and he shall be liable civilly for the acts and omissions of each of said assistants, servants and employes. The number of purchasing agents, assistants, servants and employes, and the salaries and wages to be paid to each, shall be determined by the legislative body of the town or city in which the dispensary is located. Said salaries or wages shall be paid monthly, on the last day of each month, and they shall be made known to the assistants, servants and employes before such assistants, servants and employes are engaged. Said salaries and wages shall in no way or manner whatever be made or permitted to depend upon the amount of the sales of the dispensary. The purchasing agent shall keep an accurate account of what he purchases and what he delivers to his dispenser. He shall fix the selling price of liquors, and when bottling liquors he shall put a label on each bottle, which shall state the kind and price of the liquor it contains. The price shall be an amount not greater than fifty per cent. (50 per cent.) above the original cost or invoice price. He shall keep an accurate account of all liquors purchased by him and of all liquors delivered by him to his dispenser, and for all liquors so delivered he shall take a receipt from the dispenser. On the first day of each month the said purchasing agent shall make a report to the legislative body of his town or city on such forms and in such way and manner as said body may direct. All books, papers, accounts and records of the purchasing agent shall at all times be open to the inspection of the dispenser and of the legislative body of his town or city and of every member of said body, and of every citizen of the county. Under the provisions of

this act and under the ordinances, rules and regulations of the legislative body of the town or city in which the dispensary is located, which said ordinances, rules and regulations shall in no wise be inconsistent with the provisions of this act. Each purchasing agent shall manage and conduct the storage room of the dispensary for which he was elected, and discharge the duties of his said office.

Sec. 3. If the purchasing agent personally takes or receives, directly or indirectly, any commission, percentage, rebate, gift, present or compensation of any kind whatever on account of his connection with his office, he shall be deemed guilty of a misdemeanor, and, on conviction, shall be fined not less than ten nor more than one thousand dollars, and may also be sentenced to hard labor for the county for not more than twelve months, one or both, at the discretion of the jury.

Sec. 4. The office of dispenser is hereby created, and there shall be a dispenser for each dispensary that may be established. John M. Daniel shall be the first dispenser under this act for the city of Tuscaloosa, and his term of office shall continue until the first day of January, 1907. Jesse M. Griffin shall be the first dispenser under this act for the town of Northport, Alabama, and his term of office shall continue until the first day of January, 1908. The term of their successors in office shall be two years. Dispensers shall not hold for more than two terms in succession. But the filling of a vacancy shall not be considered one of said successive terms. Under all events each dispenser shall hold office until his successor is elected and qualified. Under the provisions of this act, and under the ordinances, rules and regulations of the legislative body of the town or city in which the dispensary is located, which said ordinances, rules and regulations shall in no wise be inconsistent with the provisions of this act, each dispenser shall manage and conduct the dispensary for which he was elected. Each dispenser shall select and appoint each assistant, servant and employe that may be used in or about his dispensary, and he shall be liable civilly for the acts and omissions of each of said assistants.

servants and employes. The number of the dispenser's assistants, servants and employes, and the salaries and wages to be paid to each, shall be determined by the legislative body of the town or city in which the dispensary is located. Said salary or wages shall be paid on the last day of each month for services rendered during that month. Such salaries and wages shall in no way or manner whatever be made or permitted to depend upon the amount of the sales of such dispensary.

Sec. 5. For the purpose of aiding as hereinafter prescribed, in the selection of purchasing agents for the towns and cities of Tuscaloosa county in which dispensaries are or may be established a meeting of the court of county commissioners shall be called whenever necessary. A meeting of said court, regular or called, shall be necessary within thirty days after the approval of this act. At any regular or called meeting of said court of county commissioners that may be held within thirty days after the approval of this act, and at any regular or called meeting of said court that may be held between the last day of September, 1909, and the sixteenth day of December of that year, and at any regular or called meeting of said court that may be held between the last day of September and the sixteenth day of December of every second calendar year after said period of said last mentioned year, said court of county commissioners shall furnish to the mayor or other chief executive of the towns and cities of said county in which dispensaries are herein authorized to be established the names of three times as many men as the number of dispensaries which such towns and cities of said county desires to establish, specifying the men who are nominated or assigned to each town or city in said county and stating that the men whose names are so furnished are the men from whom the legislative body of such towns and cities must select its purchasing agent or agents. These men shall be residents of said county, shall be twenty-one years old, and shall be regarded as honest, temperate, law-abiding and competent to act as purchasing agent or purchasing agents. Before the first day of the first term of office and before

the first day of each succeeding term of office of purchasing agent, herein provided for, the legislative body of each of said towns and cities shall, from the names so nominated and furnished, elect its purchasing agent or purchasing agents for its own town or city, assigning to each purchasing agent the dispensary in connection with which the agent is to work.

Sec. 6. For the purpose of aiding, as hereinafter prescribed, in the selection of dispensers for the towns and cities of Tuscaloosa county in which dispensaries are or may be established, a meeting of the court of county commissioners shall be called whenever necessary. At any regular or called meeting of said court of county commissioners that may be held within thirty days after the approval of this act, and at any regular or called meeting of said court that may be held between the last day of September, 1909, and the sixteenth day of December of that year, and at any regular or called meeting of said court that may be held between the last day of September and the sixteenth day of December of every second calendar year after said period of said last mentioned year, said court of county commissioners shall furnish to the mayor or other chief executive of the towns and cities in said county in which dispensaries are to be established the names of three times as many men as the number of dispensaries which such towns and cities of said county desire to establish, specifying the men who are nominated or assigned to each town or city in said county and stating that the men whose names are so furnished are the men from whom the legislative body of such towns and cities must select its dispenser and dispensers. These men shall be residents of said county, shall be twenty-one years old, and shall be regarded as honest, temperate, law-abiding and competent to manage and conduct a dispensary in said towns or cities. Before the first day of the first term of office, and before the first day of each succeeding term of office of dispenser, herein provided for, the legislative body of each of said towns and cities shall, from the names so nominated and furnished, elect a dispenser or dispensers for its town or city, assigning to each dispen-

ser his dispensary. Said dispenser, under the direction and control of the legislative body of the town or city in which his dispensary is situated—so far as said direction and control are not inconsistent with the provisions of this act—shall sell liquors and manage and conduct the dispensary for a term of two years, and until his successor is elected and qualified. But he shall not interfere with the duties and privileges of the purchasing agent that are herein prescribed or control him in such matters. Each town or city that has a dispensary shall provide its dispenser with whatever money, within the aforesaid limits, that it wishes to use in conducting the business. Before entering upon the duties of his office each dispenser shall make affirmation before an officer authorized to administer oaths that he will obey all laws of the State of Alabama, and of the town or city of which he is dispenser, relative to the sale, giving away or delivery of liquors or any kind. He shall also, before beginning business, execute to his town or city a bond, conditioned for the honest and faithful discharge of his duty as such dispenser. Said bond shall be for the sum of three thousand dollars, shall have two sufficient sureties, and shall be approved by the mayor or other chief executive of said town or city. Any person who may be injured by the failure of the dispenser to observe the provisions of this act or of any rule, ordinance or regulation of his town or city in reference to his dispensary may sue said dispenser on his bond. For neglect of business, incompetency, misfeasance or malfeasance in office a dispenser may be impeached by the legislative body of the town or city of which he is dispenser, and, for cause, to be judged of by said body, said dispenser may be removed from office. Whenever a vacancy in said office occurs in any town or city, from any cause whatever, the mayor or other chief executive of such town or city shall certify that fact to the judge of probate of said county. Said mayor or other chief executive of such town or city may appoint a temporary dispenser until the vacancy shall be filled as herein provided. But such temporary dispenser shall in no event hold office longer than twenty days. Said

judge shall immediately call a meeting of the court of county commissioners of his county, and said court shall nominate and furnish to said mayor or other chief executive the names of three men having the aforesaid qualifications for dispenser, and from these three names the legislative body of said town or city shall elect a dispenser to fill the vacancy.

Sec. 7. All the provisions of the foregoing section in reference to the mode of electing dispensers, the oath of qualifications of dispensers, the bond and liabilities of dispensers, the impeachment of dispensers, the filling of vacancies in the office of dispensers and all other provisions of said section, unless the contrary is indicated in the context, or in section five (5) of this act or elsewhere in this act, shall, the names being changed, apply to and be observed in the case of purchasing agents.

Sec. 8. Dispensaries being now established in the city of Tuscaloosa and town of Northport, in said county, the assets of said dispensaries under the act under which said dispensaries have been operating shall be the assets of said respective dispensaries under this act. The liabilities of said dispensaries under the act under which said dispensaries have been operated shall be the liabilities of said respective dispensaries under this act. John M. Daniel having been elected to be the dispenser in Tuscaloosa under the act under which the Tuscaloosa dispensary has been operated to hold office until January 1, 1908, shall be dispenser under this act for the remainder of said term. Jesse M. Griffin having been elected to be the dispenser in Northport under the act under which the dispensary in Northport has been operated, to hold office until January 1, 1908, shall be the dispenser under this act for the remainder of the term.

Sec. 9. The legislative or governing body of the towns and cities in which dispensaries may hereafter be operated under this act shall pay to its purchasing agent or purchasing agents and to its dispenser or dispensers a salary, which shall be fixed by said body before the purchasing agents and dispensers are elected, and shall not be changed during their term of office. The salaries of

dispensers shall not be less than five hundred dollars nor more than twenty-five hundred dollars per annum, and shall be paid in equal monthly installments on the last day of each month. The salary of the purchasing agent shall be eighty per cent of that of the dispenser, and shall be payable monthly on the last day of each month. Said legislative body shall not make or permit

the amount of the salary of any purchasing agent or the amount of the salary of any dispenser to depend in any way or in any degree whatever on the amount of sales that may be made by its dispenser or dispensers.

Sec. 10. The dispenser shall not sell, hand or deliver liquors to the same person oftener than once in any one day, handling or delivery be to such person on his own account or for his own use and benefit, or on account of or for the use and benefit of some other person or some firm or corporation. He shall not make any sale between the hours of 6 p. m. of one day and 6 a. m. of the next day.

Sec. 11. If the dispenser, or any of his assistants, servants or employes, sells, hands or delivers liquors of any kind to the same person oftener than once in any one day, or makes any sale of such liquors between the hours of 6 p. m. of one day and 6 a. m. of the next day, the person so selling, handling or delivering shall be guilty of a misdemeanor, and, on conviction, shall be fined not less than ten nor more than one hundred dollars. Any person who purchases or attempts to purchase liquor from the dispenser or from any of his assistants, servants or employes oftener than once in any one day shall be guilty of a misdemeanor, and, on conviction, shall be fined not less than ten nor more than one hundred dollars.

Sec. 12. Said dispenser shall not himself drink, consume or give away liquor of any kind or in any quantity on the premises of his dispensary. Said dispenser shall not permit or suffer any assistant, servant, employe, purchaser or any person whomsoever to drink, consume or give away any liquor on said premises. Said purchasing agent shall not himself drink, consume or give away liquor of any kind or in any quantity on the

premises of the storage room. Said purchasing agent shall not permit or suffer any assistant, servant, employe or any person whomsoever to drink, consume or give away any liquor on the premises of his storage room. But this section shall not be construed so as to permit the dispenser or purchasing agent, or some employe designated by the latter, from sampling liquors which the purchasing agent may contemplate purchasing. Said dispenser and said purchasing agent shall report to the grand jury any one whom they, or either of them, believe to be guilty of violating the provisions of this section.

Sec. 13. Any person who drinks or consumes any liquor on the premises of the dispensary or on the premises of the storage room, except the dispenser, the purchasing agent or an employe of the purchasing agent when they are sampling liquors, as permitted in section twenty-three (23) of this act, shall be guilty of a misdemeanor, and, on conviction, shall be fined not less than ten nor more than one hundred dollars.

Sec. 14. The dispenser shall not keep in his dispensary any broken package of liquor. If any package should accidentally be broken the contents shall at once be bottled and the bottle sealed. The dispenser shall not sell any spirituous, vinous or malt liquors that are not contained in sealed packages.

Section 15. The dispenser shall not sell liquors of any kind except those which he receives from the purchasing agent of his dispensary. He shall not sell on Sundays or sell to minors or to persons of known intemperate habits. He shall not sell at one time more than one pint of whiskey, brandy or gin, or of any two of these liquors, or of all of them together. He shall sell for cash only. He shall keep an accurate record of the amount of each day's sales. All books, papers, accounts and records of the dispenser shall at all times be open to the legislative body of his town or city and of every member thereof and of every citizen of the county. On the first day of each month each dispenser shall make to the legislative body of his town or city a complete statement of the assets and liabilities of his

dispensary as they stood on the last day of the preceding month. Said report shall also state the average number of sales for each business day during the preceding month. Said report shall at once be published in a newspaper published in the dispenser's county. Such report shall be made on such forms and under ~~such directions, rules and regulations as the legislative body may prescribe.~~ In said report the dispenser shall give full and accurate information as to the condition, expenses, profits, losses and status of his business. He shall give other and additional information, orally or in writing, whenever and as often as the legislative body of his town or city or any member of said body may require.

Section 16. If the dispenser or any of his assistants, servants of employes sells any liquors except those which the dispenser has received from the purchasing agent of his dispensary, or sells any liquor on Sundays, or sells to minors or to persons of known intemperate habits, or sells at any one time more than one pint of whisky, brandy or gin, or of any two of these liquors or of all them together, such dispenser, servant or employe shall be guilty of a misdemeanor, and, on conviction, shall be fined not less than ten nor more than one hundred dollars.

Section 17. Subject to the provisions of this act, the legislative body of the towns and cities of Tuscaloosa county under the dispensary local option act of 1907 may maintain and operate dispensaries, and regulate and control the management and conduct of the same.

Section 18. The dispenser shall buy furniture, fixtures and appliances for his dispensary and for the storage room, pay all expenses of the dispensary, including those of the storage room, and take a voucher for all moneys disbursed. The expenses of the storage room shall be paid by the dispenser on warrants drawn on him by the purchasing agent. Unless instructed by the legislative body of his town or city not to keep the dispensary money in a bank, the dispenser shall deposit the proceeds of each day's sales and other dispensary money, if he has any, in some solvent bank. The dis-

dispensary money shall not be put on the dispenser's individual account in the bank, but to his credit as dispenser, and the dispensary money shall not be mixed with the dispensary's private funds. Only the dispenser is authorized to draw drafts or checks for dispensary money deposited in a bank. On the first day of each month the dispenser shall pay to the treasurer of his town or city sixty per cent of the net profits of the dispensary for the month preceding and to the treasurer of his county forty per cent of said net profits. The money so paid to the treasurer of the town or city shall be the exclusive property of such town or city, and may be used by the legislative body thereof in any way in which said body is authorized to spend the money of said town or city. The money that is paid to the county treasurer shall be used and applied in the following manner: One-third of said sum shall be used in giving pensions to such confederate veterans of said county as are entitled to receive pensions under the laws of the State. One-third of the dispensary money given to said county shall be applied by the county commissioners of said county to the promotion of the public schools of said county outside of the town in which the dispensary is located. One-third of the dispensary money given to said county shall be applied by the county commissioners of said county to the improvement of the public roads of said county. Money that is to be paid to Confederate veterans shall be distributed under the direction of said county commissioners. But such distribution and payment shall be made, as far as practicable, in the same manner in which confederate pensions are distributed and paid by the State, except that State officers shall have nothing to do with the handling of such money. The capital stock of dispensaries established or operated in Tuscaloosa county under the provisions of this act, including furniture, fixtures and appliances, shall be and remain the exclusive property of the several towns and cities in which the dispensaries are respectively established.

Section 19. No person shall drink any liquor within fifty yards of the premises of the dispensary, unless he

drinks it on his own premises lying within such fifty yards. No one who lives or does business on premises that are within fifty yards of a dispensary shall permit any person not a member or guest of his family to drink or consume any liquor on his said premises. Any one who purchases or furnishes or aids in purchasing or furnishing the liquor which he drinks within the fifty yards above described in this section shall not be considered a guest within the meaning of this section. Any person who violates the provisions of this section shall be guilty of a misdemeanor, and, on conviction, shall be fined not less than one dollar and not more than ten dollars.

Section 20. No spirituous, vinous or malt liquors or intoxicating drinks or beverages of any kind shall be sold in said county under the dispensary local option act of 1907 except by and through dispensaries herein provided for. But nothing in this act shall be so construed as to prevent any person who manufactures spirituous, vinous or malt liquors in a brewery or distillery from selling the same by wholesale in sealed packages to dispensers or to those liquor dealers who do business in counties in which they may be authorized by law to do business. Any person who violates the provisions of this section shall be guilty of a misdemeanor, and, on conviction, shall be fined not less than twenty and not more than one hundred dollars.

Section 21. The dispensaries established under this act shall be located in a public and convenient place. No gates, doors, windows or opening of any kind shall connect any dispensary with any adjacent house or lot so as to permit ingress into or egress out of such house or lot from or into the dispensary. No blinds or screens shall be set up or used in such dispensaries. No gaming or loitering shall be allowed in said dispensary. Throughout the night a light or lights shall be kept burning in the dispensary, and no doors, blinds, curtains, shades, screens or other things shall be allowed to prevent persons on the outside of the dispensary from seeing inside thereof. The provisions of this section in

reference to dispensaries shall apply to and be observed in the case of storage rooms.

Section 22. The term "legislative body" where it appears in this act is intended to mean or designate the lawmaking body of the towns or cities herein referred to, whether said body is called mayor and aldermen, board of mayor and aldermen, council, town council, city council, intendent and town council, or by some other name.

Section 23. The act entitled "an act to authorize all incorporated towns and cities in Tuscaloosa county to buy and sell spirituous, vinous and malt liquors, and to provide for the distribution of certain profits arising therefrom, and to further regulate or prohibit the sale of such liquors in said county," approved on the 27th day of February, 1901, is hereby repealed. But dispensaries established under said act are not discontinued by the repeal of said act. Such dispensaries shall be maintained, conducted and operated under the provisions of this act. But this act shall not be construed to prevent or defeat the force and effect of any election that may be held in Tuscaloosa county under the provisions of an act of the legislature approved in February or March, 1907, authorizing an election to be held in said county in reference to the prohibition vel non of the sale of spirituous, vinous and malt liquors in said county.

The State of Alabama, }
Tuscaloosa County. }

Before me, P. B. Traweek, a justice of the peace, in and for said State and county, personally appeared Jno. T. Bealle, to me known, who, being by me first duly sworn, doth depose and say that he is the owner and publisher of the West Alabama Breeze, which is a newspaper published in the town of Northport, in Tuscaloosa county, Alabama; that a notice that a bill would be introduced in the Legislature of Alabama when said Legislature reassembled, for the passage of a law amending or remodelling an act of the Legislature of said State approved the 27th day of February, 1901, establishing

and providing for the conduct of dispensaries for the sale of liquors by incorporated towns in Tuscaloosa county, Alabama, was printed for four consecutive weeks in the said West Alabama Breeze, and published in each issue of said paper of the dates of June 12th, June 19th, June 26th, and July 3rd, 1907, and that a printed copy of said notice, containing said bill, the bill ~~so proposed to be introduced, is hereto attached.~~

Jno. T. Bealle, Pub.

Sworn to and subscribed before me this 13th day of July, 1907.

P. B. Traweck,
Justice of the Peace.

By Mr. Moody:

S. 568. To amend section 18 of an act entitled an act "to provide that under certain conditions an election may be held in the several counties in Alabama, each county acting by and for itself only, as to whether municipal corporations in such counties shall have authority to buy and sell spirituous, vinous or malt liquors; to provide that the voters at said election shall vote "For Dispensary" or "Against Dispensary"; to declare the result and effect of said election; to define the term "dispensary", as used in this act; to provide that in those counties in which at the election aforesaid, a majority of the votes are cast "For Dispensary," the municipal corporations in said counties shall have authority to establish maintain and operate dispensaries, and in and through such dispensaries to buy and sell spirituous, vinous and malt liquors; to phoribit and punish the selling of liquors and intoxicating drinks in said counties in any other way than by such municipal corporation through their dispensaries; to declare that the violation of certain provisions of this act shall be a misdemaenor and to provide for the punishment thereof; and to further regulate the sale of liquors in said counties; this act not being intended, however, to repeal or affect any law which prohibits the sale of liquor in any county or part of a county, or to repeal or affect any law which authorizes municipal corporations to buy and

sell liquors in any county or part of a county by and through dispensaries, or to repeal any local law authorizing the sale, without license, of wines made from grapes or berries grown in this State.

Approved the 13th day of March, 1907.

Temperance.

By Mr. Moody:

S. 569. To authorize certain officers of counties in which dispensaries are now established by law and certain officers of the towns which are operating in said counties dispensaries for the purchase and sale of liquors, said sets of officers acting together as one body, to require said dispensaries to be conducted and operated under the provisions prescribed by this act, thus providing a new charter for dispensaries that are now being operated or that may hereafter be established in said towns.

Temperance.

By Mr. Lusk:

S. 570. To authorize the auditor on certificate of the board of county examiners to restore confederate pensioners to the pension list and pay unpaid pensions, where, through mistake, omission or inadvertance dropped from or left off the list.

Finance and Taxation.

By Mr. Wimberly:

S. 571. For the relief of John S. Bonner, a disabled and ex-confederate soldier of Pickens county, Ala.

Finance and Taxation.

NOTICE.

Notice is hereby given that a bill will be introduced before the present Legislature for the relief of John S. Bonner, an ex-confederate soldier, whose name was erroneously dropped from the pension roll.

The State of Alabama, }
Pickens County. }

Personally appeared before me one Marion Johnson, who is an editor of the Alabamian Herald, a paper pub-

lished in Pickens county, Alabama, deposes and says that the above notice appeared in said paper for four consecutive weeks, beginning on the 5th of June, 1907.

Sworn and subscribed before me this the 22nd day of July, 1907.

Marion Johnson.

~~C. C. Thompson, Notary Public.~~

By Mr. Forester:

S. 572. To prohibit the sale, barter, exchange or giving away of vinous, spirituous or malt liquor or other intoxicating drinks or beverages in the county of Houston, in the State of Alabama and to provide for an offense and a penalty for the sale, barter, exchange or giving away of vinous, spirituous or malt liquor or other intoxicating drinks or beverages in said county of Houston.

Temperance.

With notice and proof as follows:

NOTICE.

Notice is hereby given that application will be made to the present Legislature of Alabama to reconvene on the 9th day of July, 1907, to pass the following law:

An act to prohibit the sale, barter, exchange, or giving away of vinous, spirituous or malt liquor, or other intoxicating drinks or beverages in the county of Houston, and to provide for an offense and a penalty for the sale, barter, exchange or giving away, of vinous, spirituous or malt liquor, or other intoxicating drinks or beverages in the county of Houston.

Section 1. Be it enacted by the Legislature of Alabama, That on and after the passage of this act, it shall be unlawful to sell, give away, barter or exchange any vinous, spirituous or malt liquor, or other intoxicating beverages in the county of Houston; and the sale, barter, exchange, or giving away of vinous, spirituous or malt liquor, or other intoxicating drinks or beverages within

the limits and bounds of the county of Houston is hereby prohibited.

Section 2. Be it further enacted that any person, firm, or corporation who shall sell, barter, exchange or give away any spirituous, vinous or malt liquor, or other intoxicating drinks or beverages, within the limits and bounds of the county of Houston, shall be guilty of a misdemeanor, and upon conviction, shall be fined not less than one hundred dollars, and may also be sentenced to hard labor for the county for not less than thirty days, nor more than one year; one, or both, at the discretion of the judge presiding on the trial of the case.

Section 3. Be it further enacted that all laws and parts of laws, in conflict herewith be and the same are hereby repealed.

B. W. Clendinen, W. C. Strickland, T. J. Herring, W. R. Flowers, W. I. Johnson, J. R. McCanty, J. D. Prevatt, J. R. Keyton, M. Cherry, George Cotton, S. M. Brown, J. D. Flowers, J. V. Brown, G. H. Malone, N. H. McCallum, R. C. Williams, R. T. McDavid, F. B. Culver, R. W. Lisenby, E. R. Malone.

The State of Alabama, }
Houston County. }

Before me, Nannie E. McAliley, a notary public in and for said county, came W. F. Ussery, who, being sworn says, that he is the editor and publisher of the Wire Grass Siftings; and that the said Wire Grass Siftings is a newspaper published in Dothan, in Houston county, Alabama; and that the notice hereto attached, marked exhibit "A" was published in the said Wire Grass Siftings once a week for four consecutive weeks before the making of this affidavit, and in the weekly issues of the said Wire Grass Siftings in the months of June and July, 1907.

W. F. Ussery.

Sworn to and subscribed before me, this 15th day of July, 1907.

Nannie McAliley, Notary Public.

By Mr. Moody:

S. 573. To make an appropriation for the erection of a memorial, monument or monuments and markers in the Vicksburg National Military Park to commemorate the valor and heroism of the soldiers from Alabama who participated in the campaign, siege and defense of Vicksburg.

Finance and Taxation.

By Mr. Moody:

S. 574. To create a commission whose duty it shall be to erect a statue of the late Mr. Jefferson Davis in front of the capital in the city of Montgomery, Alabama, and to appropriate the sum of ten thousand dollars for the purpose of erecting such statue.

Finance and Taxation.

Mr. Jones:

S. 574 1-2. To ratify and confirm and legalize all warrants heretofore issued by the court of county commissioners of Wilcox county for the use and benefit of the underwriters of the Camden branch of the Louisville & Nashville railroad.

Agriculture.

With notice and proof as follows:

NOTICE.

A bill will be introduced at the ensuing session of the Legislature of Alabama, to ratify and confirm all warrants heretofore issued by the court of county commissioners of Wilcox county for the use and benefit of the underwriters of the Camden branch of the Louisville & Nashville railroad.

The State of Alabama, }
 Wilcox County. }

Personally appeared before me, Francis M. Purifoy, a justice of the peace in and for said county, J. R. Foster, who is publisher of the Wilcox Banner, a newspaper

published at Camden, in Wilcox county, Alabama, and who deposes and says that the notice hereto attached was published in the Wilcox Banner for four consecutive weeks, as required by law.

J. R. Foster.

Sworn to and subscribed before me, this 8th day of July, 1907.

Francis M. Purifoy,
Justice of the Peace.

By Mr. Jones:

S. 575. To ratify and confirm the acts and contracts of the court of county commissioners of Wilcox county, or other authorized agents of said county borrowing money for the use and benefit of said county and to ratify and confirm the warrants given for money so borrowed and for the interest thereon and for warrants heretofore issued for said purpose.

Agriculture.

With notice and proof as follows:

NOTICE.

A bill will be introduced at the ensuing session of the Legislature of Alabama to ratify and confirm the acts and contracts of the court of county commissioners of Wilcox county or other authorized agents of said county borrowing money for the use and benefit of said county, and to ratify and confirm the warrants given for money so borrowed and for the interest thereon, and for warrants heretofore issued for said purpose.

The State of Alabama, }
Wilcox County. }

Personally appeared before me, Francis M. Purifoy, a justice of the peace in and for said county, J. R. Foster, who is publisher of the Wilcox Banner, a newspaper published at Camden, in Wilcox county, Alabama, and who deposes and says that the notice hereto attach-

ed was published in the Wilcox Banner for four consecutive weeks, as required by law.

J. R. Foster.

Sworn to and subscribed before me, this 8th day of July, 1907.

Francis M. Purifoy,
Justice of the Peace.

By Mr. Strother:

S. 576. To amend sections 2 and 2 1-2 of an act entitled an act for the relief of needy confederate soldiers and sailors, who are resident citizens of the State of Alabama, and their widows, by the appropriation of three hundred and fifty thousand dollars annually for the fiscal year beginning on the first day of October 1907, on the first day of October 1908, the first day of October 1909, and on the first day of October 1910, and fix the amount and manner of paying the same, approved March 6, 1907.

Finance and Taxation.

By Mr. Strother:

S. 577. To fix the times and places of holding the circuit courts in the fifth judicial district of Alabama.

Judiciary.

By Mr. Strother:

S. 578. To amend subdivision 1 of section 3826 of the Code of Alabama of 1896.

Judiciary.

Mr. Reese:

S. 578 1-2. To appropriate the sum of \$----- to defray the expense of erecting and procuring a memorial statute to Hon. John Tyler Morgan in Statutory Hall.

Temperance.

By Mr. Leith:

S. 579. To declare that all persons, companies, associations or corporations, that own or operate telephone or telegraph lines for the purpose of transmitting messages or conversations from one point to another, are common carriers and compel physical connections be-

tween toll lines at common points and when and how they shall be required to make physical connections.

Commerce and Common Carriers.

By Mr. Hinson:

S. 580. To amend the last subdivision of section 1377 of the civil code, relating to compensation of sheriffs for ex-officio services.

Revision of Laws.

By Mr. Hamburger:

S. 581. To require the tax assessor of Mobile county to make a lot book for the years 1906, 1907 and each year thereafter, showing in abstract form all legal subdivisions which have been or which may hereafter be made of all property in Mobile county, and the name of the person, firm or corporation to whom each lot or subdivision is assessed for the said years; and to provide compensation therefor.

Local Legislation.

With notice and proof as follows:

The State of Alabama, }
Mobile County. }

Personally appeared before me, Thos. J. Taylor, a notary public, in and for said State and county, Thomas B. Allman, who on oath deposes and says he is the cashier of the Herald Publishing Company; that said company publishes the Mobile Daily Herald, which is a newspaper published in the city and county of Mobile; that the subjoined advertisement was published in said newspaper, once each week for four consecutive weeks, as required by section 106 of the constitution, that is to say: June 20, 27, July 5, and 11, 1907.

Thomas B. Allman.

NOTICE.

Notice is hereby given that a bill will be introduced in the Legislature of Alabama at the adjourned session in July, "To require the tax assessor of Mobile county to make annually a lot book, showing in abstract form

all legal subdivisions which which have been, or which may hereafter be, made of all property in Mobile county, and the name of the person, firm or corporation to whom each lot or division is assessed for the year 1906 and each year thereafter, and provide compensation therefor."

6:20-27—7-5-11.

Subscribed and sworn to before me this 11th day of July A. D. 1907.

Thos. J. Taylor,
Notary Public, Mobile Co., Ala.

By Mr. Strother:

S. 582. To amend section 3 of an act approved March 4, 1901, entitled an act to amend sections 4, 5, 6, 7, 8, 9, 10, 16, 18 and 20 of an act entitled an act for the relief of needy confederate soldiers and sailors, resident citizens of Alabama, and their widows, approved February 10th, 1899.

Judiciary.

REPORTS OF COMMITTEES.

Mr. Lusk, Chairman of the standing committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report.

S. 402, (with amendments). To provide for the holding of a term of the circuit court of the Fifth Judicial Circuit of Coosa county, at Goodwater and to regulate the same.

Also,

S. 508. (with amendment). To prohibit pools, trusts, monopolies and conspiracies to control business and prices of articles; to prevent the formation or operation of pools, trusts, monopolies and combinations of charters of corporations that violates the terms of this act, and to authorize the institution of prosecutions and suits therefor.

Also,

S. 512. To confer equity jurisdiction upon the circuit courts in Walker and Winston counties; to prescribe the times of calling the equity dockets in the circuit court in said counties, and to provide a register for said courts.

Also,

S. 519, (with substitute). To ratify, confirm and validate loans of money, evidenced by notes and secured by mortgages, or either, made by towns not exceeding a population of two thousand inhabitants as shown by the last Federal census.

Also,

S. 538. To prohibit the having of pay days and the running of pay trains in the State of Alabama and to provide a punishment therefor.

Also,

H. 687. To repeal all statutes and laws establishing county courts and proceedings therein, with monthly terms for the trial of misdemeanors (Code 4593 et seq) so far as the county of Madison is concerned.

Also,

H. 774. To detach election precinct number nine (9) in St. Clair County, known as Ragland election precinct, from the southern judicial division of the county and attach the same to and make it a part of the northern judicial division of St. Clair county and to confer jurisdiction with right to hear and try all matters and causes, civil and criminal, arising in said election precinct, on the circuit court, chancery court, probate court, county court and commissioners court of the northern judicial division of said county, with place of holding court at Ashville in said county; in the same manner and to the same extent as if said election precinct had never been attached to and made a part of the southern judicial division of said St. Clair county.

Mr. Miller, Chairman of the standing committee on Finance and Taxation, reported that said committee,

in session, had acted on the following bills and ordered same returned to the Senate with a favorable report.

S. 541. To appropriate the sum of fifty thousand dollars to defray the expenses incurred and to be incurred in connection with the railroad rate litigation now pending, or which may hereafter be instituted, between the various railroads of Alabama and the railroad commission.

Also,

S. 511. To authorize and empower the Alabama Industrial school for white boys, to acquire real estate by purchase, condemnation or otherwise for the use of said school.

Also,

S. 347, (with amendment). To establish and maintain a State Sanatorium for consumption and tuberculosis, and to provide for disseminating information from the nature, treatment and cure of tubercular diseases, and to make appropriations therefor.

Also,

S. 547, (with amendment). To appropriate the sum of \$537.72 to pay the expenses of the Fertilizer and Cotton Seed Oil Mill Investigating Committee and for the disbursement of the same.

Also,

S. 536. To encourage the development of the various unused water powers in this State, by exemption from taxation for a period of ten years.

Also,

S. 537. To encourage the manufacture of Calcium cyanamid (lime nitrogen) in this State by exemption from taxation for a period of ten years.

Also, .

S. 540. To appropriate twenty-five hundred dollars (\$2,500.00) for the incidental and contingent expenses to be disbursed on the order of the governor.

Mr. Merritt, chairman of the standing committee on Local Legislation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:

S. 504. To fix the time of holding the circuit court in the county of Limestone in the Eighth Judicial Circuit of Alabama.

Also,

S. 326. (With amendments.) To repeal an act entitled an act to amend section 4630 of the criminal code, so far as the same relates to beats No. 10 and 11, in Bibb county, Ala., same approved Feb. 21, 1899.

Also,

S. 543. To ratify, confirm and legalize the orders, acts and proceedings of the commissioners court of Choctaw county in issuing to the contractors for building the county court house, three principal warrants and six subsidiary warrants representing a legal rate of interest from January 1st, 1907, on said three principal warrants in settlement of the cost of constructing county court house and to authorize the payment of said warrants.

Also,

S. 510. To authorize and require the governor to designate and appoint one of the judges of the city court of Birmingham as special judge of the criminal court of Jefferson county.

Also,

S. 506. To amend section 1372 of the code of 1896 of the State of Alabama.

Also,

S. 530. To repeal an act entitled an act to abolish the county court of Marion county, approved Feb. 1st, 1905, and to provide for a county court hereafter in Marion county, Alabama, under the code as heretofore.

Also,

S. 526. To regulate the fine and forfeiture fund of Montgomery county, and provide for the registration and payment of claims against said fund.

Also,

S. 523. To create and establish a commission to be known as "Selma Water Works Commission," to prescribe their qualifications, mode of election, duties, powers and compensation, terms of office, and to fix a maximum rate to be charged for Water in Selma, Alabama.

Also,

S. 542. To provide for the construction, repairing, working and maintaining the public roads and bridges in Madison county.

Also,

S. 527. To provide for the payment of witnesses before the grand juries and State witnesses in all criminal cases, and fees of the sheriff of the county of Montgomery and the clerks of the city court of Montgomery and the county court in and for said county, in criminal cases where the State fails to convict, out of the general fund of Montgomery county. And provide compensation for the clerk of the board of revenue for services required of him under this act.

Also,

H. 129. To repeal an act entitled an act to establish a board of police commissioners for the city of Bessemer, Alabama, to provide for the appointment of such commissioners, to define their powers and duties and to regulate the police department of the city, approved March 3rd, 1903.

Also,

H. 752. To vacate and annul that part of Ninth street from the alley extending through blocks 228 and 229 on which is the right of way of the Louisville & Nashville R. R., south to the alley extending east and west through blocks 268 and 269 and also that part of Seventh street that extends from the right of way of the Louisville & Nashville R. R. south to the right of way of the Southern Railway Company in the town of North Birmingham, Ala., as public streets or highways and to annul and extinguish the dedication thereof.

Also,

H. 797. To require the commissioners court of Marion county to advertise for bids for the building of public bridges and other public improvements for at least thirty days before the same is let in some newspaper published in said county and to provide for the manner of letting or receiving bids for same.

Also,

H. 224. To repeal an act entitled an act to increase the jurisdiction of the justices of the peace, in Marion and other counties, approved February 13th, 1891, so far as the same relates to Marion county.

Also,

H. 551. To amend an act entitled an act to authorize and require the commissioners court of Pickens county to set apart and appropriate money from the general fund of said county with which to pay and discharge certificates of State witnesses issued by the foreman of the grand jury and the clerk of the circuit court of said county fees which by law become a good claim against the fine and forfeiture fund of said county as hereinafter provided in section two of this act, and to regulate the manner of said payments, and fixing the amount of said witness fee, approved December 13, 1900.

Also,

H. 705. To change the boundary line of the incorporation of the town of Wilsonville in Shelby county, Alabama.

Also,

H. 690. To require the county board of education of Wilcox county to audit and pass upon the accounts of the district trustees of the several school districts in Wilcox county of funds paid over to them by the superintendent of education of Wilcox county arising out of the dispensary at Camden to be used by them for school purposes.

Also,

H. 817. To repeal an act entitled an act to provide a fund to be used exclusively for the support of a paid fire department in the city of Mobile, approved February 21st, 1889.

Also,

H. 810. To establish a board of revenue for Houston county.

Also,

H. 839. To better provide for the working of the public roads in Pike county, Alabama, prescribe rules and

regulations for the same and prescribe penalties for the violation of the provisions of this act.

Also,

H. 766. To amend section 1 of an act, approved February 15, 1899, entitled an act to amend an act entitled an act to establish the Tuscaloosa county law and equity court, approved December 9, 1896.

Also,

H. 686. To repeal an act entitled an act to regulate the trial of misdemeanors in Madison county, approved February 23, 1899, acts 1898-99, page 1553, and to transfer all causes and proceedings pending in the county court of Madison county as regulated or established by said act, and all dockets and records thereof, to the law and equity court of Madison county, and to give such court jurisdiction of such causes and proceedings, and full power and authority thereover.

Mr. Reynolds, Chairman of the standing committee on Education, reported that said Committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report:

H. 469. To amend section 12 of an act, to grant a new charter to the Alabama Girls Industrial School, approved March 4, 1901, and to confer additional powers on the trustees of the school.

Mr. Overton, Chairman of the standing committee on Commerce and Common Carriers, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report:

S. 520. (with substitute) To amend section 10 and section 11 of an act entitled an act to create a railroad commission to be known as the Railroad Commission of Alabama, define its duties and powers and provide for its mode of procedure and prescribe penalties for violation of its orders.

Mr. Strether, Chairman of the standing committee on Municipalities and Municipal Organizations, reported

that said Committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report:

S. 509, (with amendments). To provide for the organization, incorporation, government and regulation of cities and towns and to define the rights, powers, duties jurisdiction and authority of such cities and towns and of the officers thereof, and to prescribe penalties for violations of the provisions of this act.

Mr. Wimberly, Chairman of the standing committee on Public Health, reported that said Committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:

H. 461. To legalize the dissection of human bodies in this State, and to provide for the use of certain bodies for such purpose.

Also,

S. 528. To amend section 17 of an act entitled an act to provide a system of quarantine for this State, approved February 23, 1899.

Also,

S. 529, (with amendments). To amend sections 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 16, 17 and 18 of and to add sections 9 1-2, 16 1-2, 17 1-2, 24 and 25 to, an act entitled an act to amend, reconstruct and provide for the enforcement of the laws relating to the public health, approved October 9, 1903.

Also,

S. 135. To amend sections 1446 and 1447 of the Code of 1896.

Also,

S. 423. To prohibit the sale of pistols, revolvers, dirks, bowie knives and pistol cartridges in the State of Alabama.

Mr. McWhorter, Chairman of the standing committee on Temperance, reported that said Committee, in session had acted on the following bills and ordered same returned to the Senate with a favorable report:

S. 524. To prohibit the sale, barter or exchange of spirituous, vinous or malt liquors or intoxicating beverages or drinks within five miles of the Presbyterian and Baptist churches at Pleasant Hill, Dallas county, Alabama, and to provide for the punishment of the violation of said act by the circuit courts of Dallas and Lowndes counties.

Also,

S. 525. To prohibit the barter or exchange of spirituous, vinous or malt liquors or intoxicating beverages or drinks within three miles of the Sister Springs church, in Dallas county, Alabama, and to provide for the punishment of the violation of said act by the circuit court of Dallas county and Lowndes county.

Mr. Hamner, Chairman of the standing committee on Banking and Insurance, reported that said Committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report:

S. 349. To provide for the incorporation of mutual aid, benefit and industrial companies or associations.

Mr. Hamburger, Chairman of the Standing committee on Military, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report:

S. 387, (with amendment). To provide for the publication of the local laws enacted by the Alabama Legislature in the various counties to which they apply.

The following bills contained in said committee reports, were, severally read a second time and placed on the calendar.

MESSAGES FROM THE HOUSE.

Mr. President:

The House accedes to the request of the Senate for a committee of conference on the disagreement of the two Houses on the Senate amendments to the bill:

H. 25. To define corrupt solicitation of Legislators and provide adequate punishment therefor, and the means to effectually enforce this act.

Committee on part of the House: Messrs. John, Fuller and Foster.

And,

Has passed the following Senate Bills:

S. 118. To amend an act entitled an act to better provide for the revenue of the State, amending sub-division two of section 3907 of the Code, approved March 4, 1903.

S. 258. To repeal an act entitled an act to constitute the town of Blountsville and vicinity, in Blount county a separate school district. Approved Feb. 5, 1885.

And sends the same herewith to the Senate.

Cyrus B. Brown, Clerk.

And,

The House has originated and passed the following bills:

H. 55. To provide for the exclusion from the court room of all persons, except such as may be necessary, in the conduct of the trial, in prosecutions for rape, assault with intent to ravish, seduction and incest.

And sends the same to the Senate.

H. 271. To prevent the removal of ginner's tags from cotton bales and to provide a penalty therefor.

And sends the same to the Senate.

H. 421. Providing for the survey and analysis and classification of soils of the State.

And sends the same to the Senate.

H. 513. To fix the salary of the clerk of the adjutant general and to make appropriation for same.

And sends the same to the Senate.

H. 590. To amend an act entitled an act to amend section 4730 of the criminal code of 1896, approved October 1st, 1903.

And sends the same to the Senate.

H. 223. To repeal an act entitled an act to increase the criminal jurisdiction of justices of the peace and notaries public having like powers in Marion county and other counties, approved February 8, 1877, so far as the same relates to Marion county.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that I shall apply to the Legislature, session 1907, for a law repealing an act entitled an act to increase the criminal jurisdiction of justices of the peace and notaries public having like powers, in Marion county and other counties, approved Feb. 8, 1877, so far as the same relates to Marion county.

C. E. Mitchell.

The State of Alabama, }
Marion County. }

Before me, Mack Pearce, judge of probate in and for said State and county, this day personally appeared G. J. Wilson, who, being by me first duly and legally sworn, deposes and says that he is editor and publisher of the Marion County News, a weekly newspaper published at Hamilton, in said Marion county, Alabama, and that a certain notice, a true and correct copy of which is hereto attached, was inserted in said Marion County News and was published once a week for four consecutive weeks in said newspaper before the making of this affidavit.

G. J. Wilson, Pub. News.

Sworn to and subscribed to before me this the 3rd day of January, A. D., 1907.

Mack Pearce,
Judge of Probate.

H. 798. To refund and pay back to the town of Camp Hill certain dispensary State license money collected and paid into the State treasury under and by virtue of the provisions of an act entitled an act to better provide for the revenue of this State approved March 4th, 1903, for the privilege of operating a dispensary in the town of Camp Hill under an act entitled an act to establish and maintain and regulate a dispensary in the town of Camp Hill, Tallapoosa county, Alabama, approved September 26, 1903, which said act was declared unconstitutional and void, and said dispensary closed and not operated after the 31st day of March, 1904.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that application will be made to the present session of the Alabama Legislature to pass an act authorizing the refunding and paying back by the State treasurer to the city council of the town of Camp Hill, Tallapoosa county, Alabama, the sum of \$333.33 1-3 it being two-thirds of \$500.00 paid into the State treasury for revenue license, authorizing the said town of Camp Hill to operate a dispensary for the year 1904. Under an act of the legislature of Alabama, approved September 26, 1903, which said act was declared unconstitutional and void by the Supreme court of Alabama, and said dispensary was closed and not operated any more after the first day of April 1904, on account of the said decision of the Supreme court.

Thomas L. Bulger.

This Jan'y. 12, 1907.

The State of Alabama, }
Tallapoosa County. }

Before me, A. B. Lee, N. P. Ex-Off. J. P., in and for said State and county personally appeared W. H. Payne, Jr., who being by me first duly sworn says on oath that he is the editor and proprietor of the Camp Hill Times, a weekly newspaper published at Camp Hill, Tallapoosa county, Alabama. That the foregoing and hereto attached notice was published in the Camp Hill Times for four consecutive weeks, commencing with the issue of said paper of the date of January 18, 1907, and appearing in said paper on said date, also on January 25th, February 1st, February 8th and February 15th, 1907, inclusive. And that said notice is attached referred to and made a part of this affidavit. (Signed) W. H. Payne, Jr.

Subscribed and sworn to before me this the 15th day of February, 1907.

A. B. Lee, N. P. Ex-Off. J. P.

H. 239. To repeal an act entitled an act to repeal section 1017 and section 1018 of the revised Code of 1896, in so far as the same relates to Calhoun, Mobile, Etowah and Marion counties, approved March 1, 1901, so far as the same relates to Marion county.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that I shall apply to the Legislature, session 1907, for a law repealing an act entitled an act to repeal section 1017 and section 1018 of the revised Code of 1896 in so far as the same relates to Calhoun, Mobile, Etowah and Marion counties, approved March 1, 1901, record of conditional sales, so far as the same relates to Marion county.

C. E. Mitchell.

The State of Alabama, }
 Marion County. }

Before me, Mack Pearce, judge of probate in and for said State and county, this day personally appeared G. J. Wilson, who, being by me first duly and legally sworn, deposes and says that he is editor and publisher of the Marion County News, a weekly newspaper published at Hamilton, in said Marion county, Alabama, and that a certain notice, a true and correct copy of which is hereto attached, was inserted in said Marion County News, and was published once a week for four consecutive weeks in said newspaper before the making of this affidavit.

G. J. Wilson,
 Pub. News.

Sworn to and subscribed to before me this the 3rd day of January, A. D., 1907.

Mack Pearce,
 Judge of Probate.
 Cyrus B. Brown,
 Clerk.

HOUSE MESSAGE.

The House bills in the foregoing House message were severally read once and referred to appropriate standing committees as follows:

H. 55, 590, 223, to Judiciary.

H. 271, to Revision of Laws.

H. 421, 513, 798 and 239, to Finance and Taxation.

NOTICE.

July 16, 1907.

I hereby give notice that on the next legislative day I will move to take Senate bill 145 from the adverse calendar and order same to a second reading and to place said bill on the calendar of the Senate.

D. M. White.

Notice is hereby given that a motion will on tomorrow be made to take House bill 69, by Mr. Carmichael, from the adverse calendar and place the same on the calendar of the Senate.

July 16, 1907.

Geo. T. McWhorter,
31st District.

RESOLUTIONS.

Mr. Barbour offered the following resolution which was referred to the committee on Rules:

Resolved, That Senate bill No. 384 be made a special continuing and paramount order for the next legislative day at 3 o'clock p. m.

Mr. Lusk offered the following resolution, which was on a suspension of the rules adopted:

Resolved: 1. That the Senate hereafter meet at nine o'clock in the morning and adjourn at one p. m. and meet at three p. m., and meet at eight p. m. and adjourn at ten p. m. 2. That during the morning session only general bills be considered. 3. That during the afternoon and night sessions only local bills be considered, until the local bills are disposed of.

Mr. Miller offered the following resolution, which was referred to the committee on Rules, and on a favorable report from said committee same was adopted, to-wit:

Resolved, that Senate bill No. 541, entitled "An act to appropriate the sum of fifty thousand dollars to defray ~~the expenses incurred and to be incurred in connection with the railroad rate litigation now pending or which~~ may hereafter be instituted, between the various railroads of Alabama and the railroad commission," be, and the same is hereby, made the paramount, exclusive, and special order of business for the next legislative day at 12 o'clock noon.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has adopted the following joint resolution:

H. J. R. 255. Whereas, the Legislature of Alabama has legal notice of a vacancy in the representation of the State in the Senate of the United States caused by the death of Senator John T. Morgan.

Now, therefore, in conformity with the law in such cases,

Be it resolved by the House of Representatives, the Senate concurring, that on Tuesday, July 16th, 1907, at 12 o'clock m., being the second Tuesday after the organization of the Legislature and notice of the vacancy, each House shall openly by a viva voce vote of each member present name a person for Senator in Congress from the State of Alabama to fill the vacancy.

That on Wednesday, July 17th, 1907, at 12 o'clock meridian, the members of the two Houses convene in joint assembly in the Hall of the House of Representatives and declare the election as Senator of the person who shall receive a majority of all the votes in each House.

And sends same herewith to the Senate.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

The Senate concurred in and adopted the House joint resolution 255, set out in the above and foregoing message from the House of Representatives, relative to the election of a United States Senator, to succeed the late John T. Morgan.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker of the House having signed the following House bill and joint resolutions your signature thereto is requested:

H. 692. An act, to amend sections 6, 9, 10, 16, 17, 19 and 20 of an act entitled "An act to provide for the redistricting of the public schools of the State and for the management and control of the same," approved September 30, 1903.

H. J. R. 212. Joint resolution relative to the funeral expenses of the late Speaker Wm. L. Martin.

H. J. R. 217. Joint resolution relative to the installation of an elevator in the capitol.

Cyrus B. Brown,
Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read by the secretary, signed the above House bill and House joint resolutions, the titles of which are set out in the foregoing message from the House, the reading at length of said bill and joint resolutions having been dispensed with, by a two-thirds vote of a quorum of the Senate present.

TO TAKE FROM ADVERSE CALENDAR.

On motion of Mr. Reese, and pursuant to notice heretofore given, House bill No. 497:

H. 497. For the relief of S. I. Guthrie, ex-tax collector for Lamar county, Alabama.

~~Was taken from the adverse calendar and read a second time and placed on the calendar.~~

Mr. Blackmon, pursuant to notice heretofore given, made a motion to take from the adverse, and read a second time and place on the calendar of Senate bill 430:

S. 430. To reduce and fix the rate of taxation in this State.

Which motion was carried.

Yeas, 13; nays, 11.

Yeas:

Messrs:

Barbour	Jones	Overton	Thomas
Blackmon	King	Reese	White
Hayes	Leith	Teasley	Wimberly
Heacock			

—13.

Nays:

Messrs:

Gunn	Lusk	Moody	Strother
Horton	Merritt	Reid	Wilson
Lowe	Miller	Reynolds	

—11.

ELECTION OF UNITED STATES SENATOR.

The hour of twelve o'clock, noon, having arrived, and pursuant to a House joint resolution heretofore concurred in, the Senate proceeded to the election of a United States Senator to fill the vacancy caused by the death of Senator John Tyler Morgan.

Mr. Moody, of Tuscaloosa, placed in nomination the name of Hon. John H. Bankhead, to fill said vacancy. There being no other nominations, the Senate proceeded to ballot by a viva voce vote on said nomination.

Those voting for Mr. Bankhead are:

Messrs:

Barbour	Hayes	Lowe	Reynolds
Blackmon	Heacock	Miller	Strother
Doster	Hinson	Moody	Teasley
Gardner	Horton	McWhorter	Thomas
Glenn	Jones	Overton	White
Gunn	King	Reese	Wilson
Hamburger	Leith	Reid	Wimberly
Hamner			

—29.

Being a majority of the Senate.

UNFINISHED BUSINESS.

The unfinished business being the consideration of Senate bill No. 110:

S. 110. To regulate the carrying and the use of fire arms.

Mr. Moody withdrew his amendment heretofore offered which was as follows: Amend by striking out sections 2 and 3.

Mr. Hinson offered the following amendment, to-wit:

“Amend the title of said bill by striking out the word “fire-arms” and inserting instead the word “pistol.”

Which was adopted.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Barbour	Horton	Miller	Reynolds
Blackmon	Jones	Moody	Strother
Gunn	King	McWhorter	Thomas
Hamner	Lowe	Overton	White
Hayes	Lusk	Reese	Wilson
Heacock	Merritt	Reid	Wimberly
Hinson			

—25.

Mr. Hinson offered the following amendment:

Amend by striking out section 9 thereof.

Which was adopted.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Barbour	Jones	Miller	Strother
Gunn	King	Moody	Teasley
Hamner	Leith	McWhorter	Thomas
Hayes	Lowe	Overton	White
Heacock	Lusk	Reid	Wilson
Hinson	Merritt	Reynolds	Wimberly
Horton			

—25.

Mr. Hinson offered the following amendment to said bill, to-wit:

Amend by inserting between section 9 and section 11 the following section:

Any person who assails another, in a sudden recounter or affray, and kills him with a pistol which was being illegally carried at the commencement of the fight, his adversary having no weapon drawn, shall be guilty of murder in the second degree, and may according to the circumstances be guilty of murder in the first degree.

Which was adopted.

Yeas, 12; nays, 7.

Yeas:

Messrs:

Blackmon	Hinson	Lusk	Reese
Gunn	Jones	McWhorter	Thomas
Heacock	King	Overton	Wimberly

—12.

Nays:

Messrs:

Hamner	Lowe	Reid	Wilson
Leith	Moody	Strother	

—7.

Mr. Reid offered the following amendment, to-wit:

Amend section 8 of said bill by striking out of said section 8 the words "not less than five hundred nor more than five thousand dollars" and by adding in lieu thereof the following words: "not less than fifty nor more

than five hundred dollars" and also by striking out of said section all that portion thereof after the words "one year" in the third line of said section as printed."

Mr. Jones demanded a division of the question and the first part of said amendment was adopted.

Yeas, 19; nays, 2.

Yeas:

Messrs:

Gunn	Jones	Merritt	Thomas
Hamburger	King	Moody	White
Hamner	Leith	McWhorter	Wilson
Hayes	Lowe	Overton	Wimberly
Heacock	Lusk	Reid	

—19.

Nays: Messrs. Hinson, Teasley—2.

And the second part of Mr. Reid's amendment was adopted.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Barbour	Heacock	Lusk	Reid
Gardner	Jones	Merritt	Reynolds
Hamburger	King	Moody	Strother
Hamner	Leith	McWhorter	White
Hayes	Lowe	Overton	Wimberly

—20.

Mr. Gardner offered the following amendment:

Amend section 8 by adding thereto after the word "year" in line 3 of printed copy the following: "and for each conviction under this act the solicitor's fee shall be thirty dollars to be taxed as other costs.

Which was adopted.

Yeas, 19; nays, 1.

Yeas:

Messrs:

Gardner	Jones	McWhorter	Strother
Gunn	King	Overton	Teasley
Hamburger	Leith	Reese	Wilson
Hayes	Merritt	Reid	Wimberly.
Heacock	Moody	Reynolds	

—19.

Nays: Mr. Hamner—1.

Mr. Gunn moved to reconsider the vote by which Mr. Hinson's amendment was adopted.

Mr. Reynolds moved to lay Mr. Gunn's motion on the table, which was lost.

Mr. Gunn's motion prevailed.

Yeas, 15; nays, 12.

Yeas:

Messrs:

Gardner
Gunn
Hamner
Hayes

Jones
Leith
Lowe
Lusk

Merritt
Miller
Moody
Reese

Reid
Strother
Wilson

—15.

Nays:

Messrs:

Blackmon
Doster
Hamburger

Heacock
Hinson
King

McWhorter
Overton
Reynolds

Teasley
Thomas
White

—12.

Mr. Gunn moved to table Mr. Hinson's third amendment, which was carried.

Yeas, 15; nays, 13.

Yeas:

Messrs:

Gardner
Gunn
Hamner
Hayes

Horton
Jones
Leith
Lowe

Lusk
Merritt
Miller
Moody

Reid
Strother
Wilson

—15.

Nays:

Messrs:

Blackmon
Doster
Hamburger
Heacock

Hinson
King

McWhorter

Overton
Reese

Reynolds

Teasley
Thomas
White

—13.

Mr. Reid moved to indefinitely postpone the bill.

Mr. Hinson made a motion to table Mr. Reid's motion; which was carried.

Yeas, 21; nays, 7.

Yeas:

Messrs:

Blackmon	Hayes	King	Reese
Doster	Heacock	Merritt	Reynolds
Gardner	Hinson	Moody	Teasley
Glenn	Horton	McWhorter	Thomas
Gunn	Jones	Overton	Wimberly
Hamburger			

—21.

Nays:

Messrs:

Hamner	Lowe	Reid	White
Leith	Lusk	Strother	Wilson

—7.

Mr. Thomas made a motion to recommit the bill and amendments to the committee on Revision of Laws, which was carried.

SPECIAL ORDER.

On motion of Mr. Strother,

S. 509. To provide for the organization, incorporation, government and regulation of cities and towns, and to define the rights, powers, duties, jurisdiction and authority of such cities and towns and of the officers thereof, and to prescribe penalties for violations of the provisions of this act:

Was made a special order for 1 o'clock Wednesday, July 17th, 1907.

On motion of Mr. Hamner,

S. 295. To legalize and make effective the registration of deeds of conveyance, heretofore filed and recorded in the office of the probate judge of the proper county in this State; and of deeds of conveyance heretofore executed, which may be so filed and recorded within two years after the approval of this act.

Was made a special order for 12 o'clock Wednesday, July 17th, 1907.

BILLS ON THIRD READING.

The bill:

S. 227. To prevent the erection or maintaining of ~~storage warehouses or freight depots or buildings in-~~ tended, constructed or used for either of said purposes upon or across any public street of any city in Alabama.

On motion of Mr. Reynolds, the bill was indefinitely postponed.

The bill:

S. 169. To amend section 4417 of the Code of Alabama.

Was taken up. Mr. Reese offered the following amendments to the substitute offered by the committee on Revision of Laws, to-wit:

Add after last word in the bill the following: The solicitor shall have the right in any such case to waive capital punishment and in such event no special jury shall be required to try said cause.

Which amendment was adopted.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Leith	Reynolds
Blackmon	Heacock	Merritt	Strother
Gardner	Hinson	Moody	Thomas
Glenn	Horton	McWhorter	White
Gunn	Jones	Reese	Wilson
Hamburger	King	Reid	Wimberly
Hamner			

—25.

And the following substitute offered by the committee, which is as follows, to-wit:

A BILL

To be entitled an act to amend section 4417 of the Code of Alabama of 1896.

Section 1. Be it enacted by the Legislature of Alabama, That section 4417 of the Code of Alabama of 1896 be and the same is hereby amended so as to read as follows:

4417 (3786) (4343) (3695) (1494) Burglary of a dwelling house, shop, store house, building, inclosure, etc., etc., degrees.—Any person, who in the day time, with intent to steal or commit a felony, breaks into and enters a dwelling house in which there is at the time any female; or who, in the night time, with like intent, breaks into and enters a dwelling house, is guilty of burglary in the first degree; and any person who, in the day time, with intent to steal or commit a felony, breaks into and enters a dwelling house, in which there is at the time no female; or any person, who either in the night time or day time, with like intent, breaks into and enters any building, structure, or inclosure within the curtilage of a dwelling house, though not forming a part thereof, or into any shop, store, warehouse, gin house, or other building, structure or inclosure, in which any goods, merchandise, or other valuable thing, is kept for use, sale or deposit, provided such structure or inclosure, other than a shop, store, warehouse, gin house, or building is specially constructed or made to keep such goods, merchandise, or other valuable thing, is guilty of burglary in the second degree. Any person upon the conviction of burglary in the first degree as herein defined must suffer death or imprisonment in the penitentiary for a term of not less than two years, at the discretion of the jury; and upon conviction of burglary in the second degree as herein defined must be imprisoned in the penitentiary for not less than one year nor more than twenty years, at the discretion of the jury.

Was adopted.

Yeas, 22; nays, 2.

Yeas:

Messrs:

Blackmon	Hayes	Leith	Teasley
Gardner	Heacock	Merritt	Thomas
Glenn	Hinson	Moody	White
Gunn	Horton	McWhorter	Wilson
Hamburger	Jones	Reynolds	Wimberly
Hamner	King		

—22.

Nays: Messrs. Lusk and Miller—2.

And the bill, as thus amended, was read a third time, at length, and passed.

Yeas, 18; nays, 3.

Yeas:

Messrs:

Barbour	Hamburger	King	Thomas
Blackmon	Hamner	McWhorter	White
Gardner	Hayes	Reynolds	Wilson
Glenn	Heacock	Teasley	Wimberly.
Gunn	Jones		

—18.

Nays: Messrs. Lusk, Merritt and Moody—3.

MESSAGE FROM THE GOVERNOR.

To the Senate:

In accordance with your request, I herewith return for your further consideration Senate bill No. 332, entitled an act to authorize the county commissioners of Perry county, Alabama, to appropriate annually from the funds of said county the sum of two hundred and fifty dollars for the use of the county board of education of said county to be used by said board for the sole and only purpose of advancing the interests of the public schools of said county.

B. B. Comer,
Governor.

On motion of Mr. Reynolds, the bill, whose title is set out in the above and foregoing message from the governor, was referred to the committee on Education.

MESSAGE FROM THE GOVERNOR.

To the Senate:

I herewith transmit this message with accompanying document containing a certificate by the Superintendent of Education containing the names of the trustees of the University of Alabama, elected by the board of trustees thereof since the last session of the Legislature.

B. B. Comer,
Governor.

To the Senate of Alabama:

Gentlemen:—Acting under the provisions of section 264 of the constitution of Alabama, I hereby certify to you for your consideration or rejection the trustees elected since your last session for the University of Alabama.

As successors to those trustees whose terms expire in 1907 and for the term expiring in 1919 and at an election held on May 29, 1907, Hon. Thomas M. Stevens, of Mobile, was elected as a trustee from the First Congressional district; Hon. J. H. Johnston, of Talladega, was elected as a trustee from the Fourth Congressional district, and Hon. Thomas W. Coleman, of Eutaw, was elected as a trustee from the Sixth Congressional district.

Henry C. Gunnels,
Supt. of Education.

GOVERNOR'S MESSAGE.

The Senate ratified and confirmed the election of Hon. Thos. M. Stevens, of Mobile, J. H. Johnston, of Talladega, and Thos. W. Coleman, of Eutaw, as trustees for the University of Alabama to fill the vacancies occurring in 1907, as shown by the certificate of the Superintendent of Education, transmitted to the Senate in the above and foregoing message from the governor.

MESSAGE FROM THE GOVERNOR.

To the Senate:

In accordance with House joint resolution, approved March 6, 1907, requesting me to pay the funeral expenses of the late William L. Martin, Speaker of the House of Representatives, out of the contingent fund and report the same to the two Houses. ~~I have approved bills amounting to the sum of \$591.00 dollars incurred for said funeral expenses and the same have been paid by auditor's warrant on the treasurer out of the governor's contingent fund. I hrewith transmit you an itemized statement of said bills, certified by the auditor.~~

I recommend that an appropriation be made by the Legislature in the sum of \$591.00 dollars for the reimbursement of the governor's contingent fund.

B. B. Comer, Governor.

EXPENSES OF W. L. MARTIN'S FUNERAL,

Paid out of "Governor's Contingent Fund."

Ala. Stables, hacks	\$ 12 00
J. C. Hagood, hacks	48 00
T. A. Davis, brick vault	40 00
Leak Undertaking Co., casket	325 00
“ “ “ Embalming	25 00
“ “ “ Floral wagon	5 00
“ “ “ Hearse, 2 trips and attention	20 00
“ “ “ Grave city fees	6 00
“ “ “ Gloves for pall bear's	2 00
“ “ “ Eng. names on plate	1 00
Advertiser Co., funeral notice	1 00
Curbow & Clapp, marble slab	71 00
Hagood Transfer Co., teams	35 00

\$ 591 00

I hereby certify that this is a true and correct copy of the original as filed in my office.

W. W. Brandon,
State Auditor.

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GOVERNOR'S MESSAGE.

On motion of Mr. Thomas, the committee on Finance and Taxation was directed to draft and introduce a bill appropriating the sum of \$591.00 to reimburse the governor's contingent fund for expenses of the funeral of the Hon. W. L. Martin; as shown by the certificate of the State auditor, as shown by the above and foregoing message from the governor.

RECESS.

The hour of 1 o'clock having arrived, the Senate took a recess until 3:30 o'clock this afternoon.

AFTERNOON SESSION.

Senate reassembled at 3 o'clock p. m.

ROLL CALL.

Upon the call of the roll a quorum of the Senators answered to their names.

PRIVILEGES OF THE FLOOR.

The privileges of the floor were extended to Mr. McQueen, of Eutah.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bills and has ordered same sent to the Senate without engrossment:

H. 960. To amend section 1 of an act entitled an act "To aid and encourage technical education in the State of Alabama and the providing for the erection and equipment of buildings and increased facilities at the

Alabama Polytechnic Institute," approved March 2, 1907, so as to read as follows:

And herewith sends same to the Senate.

H. 113. To regulate the ginning of cotton for toll or hire in this State. To require all ginnerers of cotton for hire or toll to register all cotton brought to their gins in the name of the owner thereof, so far as can be ascertained, and to require the ginnerers of cotton for hire or toll to mark every bale of cotton ginned by them with proper marks or initials of the owner thereof, so that the same can be identified; and to require the ginner to keep a register of said marks in a book which shall be open to the public for inspection and to punish violators of said act.

And herewith sends same to the Senate.

H. 778. To prevent the shooting of live pigeons, fowls or other birds for amusement, or as a test of skill in marksmanship and to provide a penalty for same.

And herewith sends same to the Senate.

H. 907. To provide for the making of bonds of the State Auditor and Secretary of State through guarantee companies and to provide for the payment of the premium on same.

And herewith sends same to the Senate.

And has originated and passed the following bills and has ordered same sent forthwith to the Senate without engrossment:

H. 912. To repeal an act entitled an act "To constitute a board of jury commissioners for Crenshaw county, approved Feby. 7th, 1899."

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows, to-wit:

A BILL

To be entitled an act, to repeal an act entitled an act, "To constitute a board of jury commissioners for Crenshaw county," approved February 7th, 1907.

Section 1. Be it enacted by the Legislature of Alabama, That an act entitled an act "to constitute a board

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of jury commissioners for Crenshaw county, approved February 7th, 1899," be and the same is hereby repealed.

The State of Alabama, }
Crenshaw County. }

Personally appeared before me, M. N. Rushton, a notary public in and for said county, W. B. Howard, who, being duly sworn, says on oath that he is the editor and publisher of the Crenshaw County Critic, a newspaper published in said county, and that the notice of a bill to repeal an act entitled an act to constitute a board of jury commissioners for Crenshaw county, approved February 7th, 1899, hereto attached, was published in said Crenshaw County Critic once a week for four consecutive weeks before making this affidavit.

W. B. Howard.

Subscribed and sworn to before me, this 8th day of July, 1907.

M. N. Rushton,
Notary Public.

H. 964. To amend sections 5 and 15 of an act entitled "An act to establish the Lee county court of law and equity, prescribe its jurisdiction and powers, its rules of practice and procedure, provide for the selection of its officers, prescribe their powers, duties, compensation and term of office, fix the time of holding said court, provide for fees, commissions, fines, forfeitures and juries in said court; provide for supplies for said court, and repeal conflicting laws," approved the 5th day of March, 1907.

And sends same herewith to the Senate with notice and proof attached and herewith attached as follows, to-wit:

The State of Alabama, }
Lee County. }

Before me, Joe H. Smith, a notary public in and for said county and State, personally appeared W. T. Wear, who, being duly sworn, deposes and says that he is one

of the editors of the Opelika Daily News, a daily newspaper published in Opelika, in said county, and that the following notice, to-wit:

NOTICE.

Notice is hereby given that, in the Legislature of Alabama, upon its ~~re-assembling after the present recess,~~ a bill will be introduced and its enactment promoted by all proper means, the substance of which bill is to so amend an act entitled "An act to establish the Lee county court of law and equity, prescribe its jurisdiction and powers, its rules of practice and procedure, provide for the selection of its officers, prescribe their powers, duties, compensation and term of office, fix the time of holding said court, and provide for fees, commissions, fines, forfeiture and juries in said court, provide for supplies for said court, and repeal conflicting laws," approved March 5, 1907, so as to authorize and empower the judge of said court, by orders entered on the minutes, to fix the time and manner of holding the sessions of said court, to designate separate weeks for the settling of pleadings in civil cases and for the trial, respectively, of equity cases, of civil cases at law in which jury has been waived, of civil cases at law in which jury has been demanded, and of criminal or quasi criminal cases, to prescribe the particular weeks of the term to which the clerk and register of said court shall summon petit jurors; and to authorize the court to take, during its regular terms, such temporary recesses as shall be deemed proper and expedient.

Albert E. Barnett,
R. C. Smith.

Was published in said paper for four consecutive weeks, to-wit: in issue of June 8th, 1907, June 15th, 1907, June 22nd, 1907, and June 29th, 1907.

W. T. Wear.

Subscribed and sworn to before me this 3rd day of July 1907.

Joe H. Smith,
Notary Public, Lee County, Alabama.

H. 1034. To amend section 2 of an act, entitled an act to amend an act, entitled an act, to establish, maintain and regulate a dispensary in the town of Camden, Wilcox county, Alabama, for the sale of spirituous, vinous and malt liquors, approved September 23, 1903, so as to provide that the one-fourth of the net proceeds of said dispensary, shall be appropriated to the public road fund for Wilcox county, and providing for the election by the mayor and board of aldermen of the town of Camden, Alabama, for a cashier to issue checks for the purchase of liquors in said dispensary.

And sends same herewith to the Senate with notice and proof attached and herewith attached as follows, to-wit:

The State of Alabama, }
 Wilcox County. }

Personally appeared before me, Francis M. Purifoy, a justice of the peace in and for said county, J. R. Foster, who is the publisher of the Wilcox Banner, a newspaper published at Camden, Wilcox county, Alabama, and who deposes and says that the notice attached hereto was published in the Wilcox Banner for four consecutive weeks, as required by law.

J. R. Foster.

Sworn to and subscribed before me, this 5th day of July, 1907.

Francis M. Purifoy,
 Justice of the Peace.

Notice is hereby given, that a bill will be introduced at the ensuing session of the Legislature to amend section 2 of an act, entitled an act to amend an act, entitled an act to establish, maintain and regulate a dispensary in the town of Camden, Wilcox county, Ala., for the sale of spirituous, vinous and malt liquors approved Sept. 23, 1903, so as to provide that the one-fourth of the net proceeds of said dispensary, shall be appropriated to the public road fund for Wilcox county.

And to add section 7 to said act, providing for the election by the mayor and board of aldermen of the town of Camden, Ala., for a cashier to issue checks for the purchase of liquors, in said dispensary.

H. 1033. Providing for the more efficient working of the public roads in Wilcox county; to provide for the revenue for the same, including a vehicle license; to divide the county into five road districts; and to appoint and elect road supervisors and overseers for the same; to provide for the appointment of one civil engineer; to provide for a commutation of \$7.50 per capita in lieu of work; and such other details as may be necessary for the working of the public roads in Wilcox county.

And sends same herewith to the Senate with notice and proof attached and herewith attached as follows, to-wit:

The State of Alabama, }
 Wilcox County. }

Personally appeared before me, Francis M. Purifoy, a justice of the peace in and for said county, J. R. Foster, who is the publisher of the Wilcox Banner, a newspaper published at Camden, Wilcox county, Alabama, and who deposes and says that the notice attached hereto was published in the Wilcox Banner for four consecutive weeks, as required by law.

J. R. Foster.

Sworn to and subscribed before me, this 5th day of July, 1907.

Francis M. Purifoy,
 Justice of the Peace.

Notice is hereby given that a bill will be introduced in the next session of the Legislature of Alabama, providing for the more efficient working of the public roads in Wilcox county; to provide for the revenue for the same including a vehicle license; to divide the county into five districts and to appoint and elect supervisors and overseers for same; to provide for the appointment of one civil engineer, to provide for the commutation of \$7.50 per capita in lieu of work; other details as may be necessary for the working of the roads for Wilcox Co.

H. 932. To vacate and annul as a public street or highway that part of Seventh or Twenty-third street in the town of North Birmingham, Alabama, which lies

northwestwardly of the northern line of Avenue A or Thirty-sixth avenue and southwestwardly of the southern line of Avenue B or Thirty-seventh avenue, and to extinguish and annul the dedication thereof.

And sends same herewith to the Senate with notice and proof attached and herewith attached as follows, to-wit:

NOTICE.

Notice is hereby given that at the session of the Legislature of Alabama, which convenes on July 9, 1907, there will be introduced for passage a bill which will be in substance as follows:

Be it enacted by the Legislature of Alabama, That that part of Seventh or Twenty-third street, in the town of North Birmingham, Alabama, which lies northwestwardly of the northern line of Avenue A or Twenty-sixth avenue, and southwestwardly of the southern line of Avenue B or Thirty-seventh avenue, be and the same is hereby annulled, vacated and abolished as a street or public highway, and the same shall forever cease to be a public street or highway, and the dedication of the same as such is hereby extinguished and annulled.

The State of Alabama, }
Jefferson County. }

Before me, C. B. Smith, a notary public, in and for said county in said State, personally appeared Edgar W. Jones, who, being by me first duly sworn, deposes and says that he is the editor and publisher of the Jones Valley Times, a weekly newspaper published in Birmingham, Jefferson county, Alabama, and that the foregoing notice hereto attached has been published in said Jones Valley Times once a week for four consecutive weeks prior to the making of this affidavit.

Edgar W. Jones.

Sworn to and subscribed before me this 5th day of July, 1907.

C. B. Smith,
Notary Public.

HOUSE MESSAGE.

The House bills in the foregoing House message were severally read once and referred to appropriate standing committees as follows:

- H. 960, to Education.
- ~~H. 113, to Agriculture.~~
- ~~H. 778, to Game, Fish and Forestry Preservation.~~
- H. 907, to Finance and Taxation.
- H. 912, 964, 1033, 932, to Local Legislation.
- H. 1034, to Temperance.

MESSAGE FROM THE GOVERNOR.

To the Senate:

In accordance with the provision of House bill 188 approved Feb. 17, 1903, I herewith transmit by accompanying document a detailed report of the entire work and operations of the capitol commission for the consideration of the Legislature.

B. B. Comer,
Governor.

GOVERNOR'S MESSAGE.

On motion of Mr. Reynolds, 300 copies of the report of the Capitol Commission were ordered printed for the use of the Senate, said report being as follows, to-wit:

Montgomery, Alabama, January 14, 1907.

To the Honorable, the Legislature of Alabama:

The undersigned beg to submit herewith a "detailed report" of the "work and operations" of the State Capitol Building Commission, under section one (1) of the act creating said commission, approved Feb. 17, 1903, said act being found in General Laws, 1903, pp. 57-59, and made a part hereof. The report will necessarily be brief because all of the work projected has not been completed.

ORGANIZATION OF COMMISSION AND BEGINNING OF WORK.

The declared purposes of the act above mentioned was "for the improvement of the State Capitol building and grounds and for the acquisition by condemnation or purchase of any real estate necessary or beneficial in improving the present capitol grounds, and for the erection or acquisition of any necessary additional building or buildings for the use of the State." A building commission, to consist of the governor, attorney-general, State treasurer, State auditor, Secretary of State, with the director of the department of Archives and History, as secretary, was created, clothed with full and ample powers to carry out the intent and purpose of the act. To enable the commission to meet the expense or expenses incident to the erection or repair of buildings, or the acquisition of any additional property, the sum of one hundred and fifty thousand dollars was appropriated.

On Tuesday, June 28, 1904, in response to a call from the lieutenant-governor, then acting governor, the attorney-general, the State treasurer, the State auditor, the Secretary of State, and the director of the department of Archives and History, as secretary, convened in the private office of the governor, and formally organized for work. At this meeting rules were adopted; and a formal opinion was rendered by Mr. Wilson, the attorney-general, that the secretary was not, under the act, authorized to vote as a member of the commission, but that he was merely, as particularly set forth, the secretary, clerk or record keeper of the commission. Steps were at once taken looking to the acquisition of the south section or portion of the capitol square, by purchase, if possible, or by condemnation, if necessary; and an investigation of the needs of the several State offices, departments and boards was begun.

At the next meeting, it appearing that the south portion of the capitol square could not be purchased at a reasonable price, the attorney-general was authorized and directed to secure the condemnation of the same to the use of the State. At the same time a number of the State officers and heads of departments appeared be-

fore the commission and set forth the office needs and requirements of their several offices, while communications in writing were received from others. The secretary was directed to prepare for the use of the commission a brief of the office conditions and needs of all offices, departments and boards required by law to have headquarters in the State capitol.

At a meeting Aug. 27, 1904, the attorney-general was authorized to employ associate counsel in the condemnation proceedings, and under such authorization he later informed the commission that he had secured the services of Messrs. Goodwyn and McIntyre, of the Montgomery bar.

ACQUISITION OF SOUTH PORTION OF CAPITOL SQUARE.

In accordance with instructions the attorney-general filed condemnation proceedings in the probate court of Montgomery county, which, after due trial, were appealed by the property owners to the city court of Montgomery. Without further detailing the progress of the litigation, it is sufficient to say that after several conferences an agreement was reached by the attorney-general and his associate counsel, representing the State, and Messrs. Steiner, Crum and Weil, and Messrs. Dent and Reese, representing the property owners, whereby the State was to pay sixty-five thousand dollars in full discharge of all claims for the lots in controversy, this sum to include all court costs and attorney's fees. On March 1, 1905, the proposition contained in the agreement was formally accepted. Deeds were subsequently executed to the State by Anna U. Boylan; Pelham J. Anderson and wife; Torrence Toole; Alice T. Kohn, James Toole, Joseph Toole, William Toole, Mary Toole, Sallie Toole and Peter Toole, Johnetta Davis, Margaret ~~Dowe~~, and Mary Dwen, representing all the property owners. The deeds have been fully recorded. By July 1, 1905, in accordance with the agreement, the former owners had removed from the lots all of their buildings and improvements.

In the opinion of the members of the commission the acquisition of this property was necessary to provide adequate opportunity for capitol extension and to give proper form to the capitol grounds. The price paid was very reasonable.

In this connection it is proper to report that the lots acquired, after the removal of improvements, required extensive filling and grading. Under the direction of the commission, Mr. S. E. Washburn prepared a survey of the new grounds, with an estimate of the yardage required for filling. Several thousand yards of soil were then secured and the grading begun, but it was not completed owing to the necessity of using the grounds in connection with the erection of the new building. It was also found necessary to cause nine old-fashioned cisterns to be filled up. In carrying out its plans for grading, landscaping and putting and keeping the ground in order, Mr. Adolph Deiterich, an experienced and competent gardener, was employed for a short while, but his services were discontinued when it was found that the improvement on the grounds could not be presently completed. Under the agreement for purchase the current (1905) taxes of the city of Montgomery were paid by the commission.

ERECTION OF A SOUTH WING OR ADDITION.

The results of the investigations and hearings before the commission early disclosed the very urgent needs of all State offices, departments, and boards for more room in which to carry on their respective work and duties. A most careful survey of the entire situation led to the inevitable conclusion that, in no other way could adequate accommodations be secured except by the erection of an addition to the present capitol building. Not to enter into a voluminous recital of all the processes or steps by which the commission reached its conclusions, it was decided to erect a south wing or addition, such structure to be architecturally in harmony with the present building and subordinate to it. By formal competition, Mr. Frank Lockwood was chosen as architect for

the State. After the preparation of several sets of plans by him, a design was selected and work was begun on the said south wing or addition. It is to be stated, however, that no decision was finally reached until after the commission could determine what amount would be available for such extension, after the purchase of the south end of the capitol square and after a small estimated amount had been tentatively agreed upon for improving the old building. You will very readily see that the size and extent of the proposed addition was practically governed by the amount so available.

So important did the commission regard the subject of the proposed addition,—its size, form, and architectural proportions, and harmony—after Mr. Lockwood had thoroughly revised and worked out his final plans, Mr. Charles F. McKim, of the great architectural firm of McKim, Mead & White, of New York City, was invited to visit Montgomery for a conference and for an expression of expert opinion on the plans as agreed upon. Mr. McKim visited the capitol in the spring of 1906 and went carefully over our historic old building, investigating the entire situation carefully. He was accompanied by Mr. Glenn Brown, secretary of the American Institute of Architects. Mr. McKim and Mr. Brown appeared before the commission and gave it as their opinion, first, that under no circumstances ought our old capitol building be disturbed other than in a general overhauling and repair, and, secondly, that the building proposed to be erected should in all respects be in correct form and proportion, and should when completed, present a harmonious appearance. General details and changes were suggested which were readily made. Both architects urged the speedy completion of the entire plan.

After advertising for bids, in response to which five were submitted, on April 18, 1906, a contract for the extension was signed with C. C. Totherow & Co., the successful bidders. The contract price agreed upon was fifty-one thousand, one hundred and twenty-nine dollars. Sundry changes and additions to this sum will make the whole cost of the building fifty-six thousand

dollars. It is not as yet completed, although very zealous efforts were made to have it in finished form before the beginning of your session. Delays in securing materials, and the scarcity of labor are largely responsible for this condition. However, it is confidently believed that in thirty days it will be practically complete and ready to turn over to the State.

It is perhaps not improper to call attention here to the fact that the new building will not only be in harmony with the old and is so constructed and connected with it as to be subordinate to it as an historic structure, but it is of fire proof construction throughout, it is beautifully ornamented, it has an elegant stairway, it is provided with up-to-date sanitary plumbing, its basement rooms will be damp proof, and its corridors will be laid in marble tile. It is so designed and constructed as to form a part of a general plan, looking to the further extension, enlargement and improvement of the capitol to meet the growing needs of the State.

REPAIRS, IMPROVEMENTS AND FURNISHINGS IN THE ORIGINAL BUILDING.

For a long time there had been an urgent need of extensive repairs on the old or original capitol building. From its very organization the commission discussed informally, from time to time, the improvements and repairs demanded, but it was not possible to begin work until the condemnation proceedings were concluded and some definite decision was reached in reference to proposed new buildings. However, in the summer of 1905, preliminary steps were taken for repairs and improvements. The several basements were thoroughly cleaned up. The basement under the office of the Secretary of State was cemented, ceiled and shelved for the storage of codes, acts, supreme court reports and other documents to be kept by him for sale.

The improvements once begun have gone steadily forward, and have been as extensive as possible with the amount available, after the purchase of the lots above

mentioned and after providing for the erection of the south wing or addition. The improvements on the old building in detail are as follows:

- Cleaning up and putting the basements in order;
- Repairing basement for Secretary of State's office;
- Painting entire outside of the building;
- Putting in drainage and storm sewerage;
- ~~Repairing roof and drains;~~
- Putting flag pole on dome;
- Repairing and resetting marble steps and portico;
- Repairing and repainting supreme court room and supreme court library;
- Installation of cluster lights in supreme court library;
- Repairing and varnishing desks and chairs of the Senate and House of Representatives;
- Repairing and putting in order the Senate chamber and cloak room;
- Painting in rotunda, halls and stairways;
- Plastering and ornamenting the dome, rotunda, halls and stairways;
- Electric wiring in hall and dome;
- Tiling in marble the halls, corridors and lobby;
- Installation of a new and complete sanitary sewerage system, with marble toilet fixtures and wainscott;
- Placing of art glass in dome;
- Installation of five ceiling fixtures in corridor and rotunda on first floor; and
- Provision for a rest and toilet room for ladies.

In the matter of furnishings, it has not been possible to meet, in any adequate way, the needs of the capitol, owing to the lack of funds, and in consequence comparatively little has been done. A new carpet and rugs have been placed on the floor of the supreme court library, and in the halls of the Senate and the House of Representatives; a new carpet has been secured for the office of the clerk of the supreme court; thirty-seven new leather cushion chairs have been placed in the supreme court room; a large table and six leather cushion chairs have been provided for the consultation room of the supreme court judges.

Of the foregoing improvements, the exterior painting, the storm drainage, the repairs on the roof and repairs on steps of portico, were done under the direction of Mr. B. B. Smith, architect. The other improvements were done under the supervision of Mr. Frank Lockwood, architect.

FINANCIAL STATEMENT.

The amount available to the commission in carrying on its work was one hundred and fifty thousand dollars. Of this sum sixty-five thousand dollars was paid for the south portion of the capitol square, leaving eighty-five thousand dollars available for other purposes. Of the latter sum, approximately fifty-six thousand dollars will be the cost of the south wing or addition, leaving twenty-nine thousand dollars for all repairs on the old building, improvement of the grounds and the furnishings. Owing to the fact that the new building and a part of the repairs on the old building are not completed, sundry balances are still due on these contracts. Sufficient funds are on hand, however, to meet them. The commission's account on the books of the State auditor will show in detail the several payments, the parties to whom paid, the dates and the amounts, and the same should be taken and considered as a part hereof.

COMMENDATION OF ARCHITECT AND SECRETARY.

It is deemed proper in this connection to place on record the appreciation of the commission of the skilled services of Mr. Frank Lockwood, the architect for the State in the extension and the major part of the repairs. He has displayed judgment, skill and artistic taste in all his work and it is a pleasure to commend him.

It is also a pleasure to commend the services of Dr. Thomas M. Owen, our secretary. He has never missed a meeting of the commission, and at great personal inconvenience has performed the duties required of him. In view of the esteem in which he is held by his asso-

ciates, the following resolution was adopted at the meeting of the commission, Jan. 9, 1907, viz.:

"Hon. Thomas M. Owen, director of the department of Archives and History of the State of Alabama, made by law secretary to the State capitol building commission, has discharged his duties as secretary, with such ~~efficiency and fidelity~~, and has discharged numerous other important and necessary labors in connection with the extension, enlargement and improvement of the present State capitol building.

"Resolved, That the members of the building commission are unwilling that the commission should adjourn sine die, which it will soon do, without tendering to him the hearty thanks they each feel, for the great assistance he has rendered the commission, and the State of Alabama."

A journal of the proceedings of the commission has been carefully kept by the secretary. This record and all correspondence, papers, maps, plans, etc., etc., are in his hands.

CONCLUSION.

The terms of office of the members of the commission expiring with this date, the foregoing is respectfully submitted in accordance with law. It has been a pleasure to be associated in the performance of the duties imposed.

Alabama Building Commission,
By William D. Jelks, Governor and Chairman.

REPORT FROM COMMITTEE ON ENROLLED BILLS.

Mr. President:

The committee on Enrolled Bills have examined the following Senate bills:

S. 118. To amend an act entitled an act to better provide for the revenue of the State, amending sub-division two of section 3907, of the Code, approved March 4th, 1903.

S. 221. To amend section seventeen of an act to establish a uniform system for the examination and li-

censing of teachers of public schools, approved February 10th, 1899, amended February 8th, 1901.

S. 258. To repeal an act entitled an act to constitute the town of Blountsville, and vicinity, in Blount county, a separate school district, approved February 5th, 1885.

S. 327. To amend section 7 of an act entitled an act to amend an act to regulate the trials of misdemeanors in Bibb county, approved December 14th, 1894.

And find same to be correctly enrolled.

Frank S. Moody,
Chairman.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after thier titles had been publicly read at length by the secretary, signed the above Senate bills, the titles of which are set out in the foregoing report from the committee on Enrolled Bills, the reading at length of said bills having been dispensed with, by a two-thirds vote of a quorum of the Senate present.

RESOLUTIONS.

Mr. Lusk offered the following resolution which was referred to the committee on Rules:

Resolved, That Senate bill 390 be set for special order 11 a. m. on tomorrow, July 17, 1907.

Mr. Merritt offered the following resolution, which was referred to the committee on Rules:

Resolved, by the Senate, that S. B. 441 be set for a special continuous and paramount order for Wednesday, the 17th day of July, at 11:30 o'clock a. m.

Mr. Reynolds offered the following resolution, which was referred to the committee on Rules:

Resolved, by the Senate, that Senate bill No. 324 be made a special, continuous and exclusive order for the next legislative day at twelve o'clock.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bills, and orders the same sent forthwith to the Senate, without engrossment:

~~H. 888. To provide for the establishment of a branch of the circuit court of Barbour county, to define its powers and jurisdiction, to regulate the trial of causes therein, and the drawing and summoning of juries and witnesses therefor.~~

Together with notice and proof of publication thereof, hereto attached, as follows:

NOTICE.

Notice is hereby given that application will be made at the approaching session of the Legislature of Alabama, to be held in the city of Montgomery, beginning on July 9th, 1907, for the passage of a bill creating a branch of the circuit court of Barbour county, locating said branch court at Clio and including within its jurisdiction the territory in beats Nos. 9, 12, 13, and 15, in said county. The bill creating said branch court is to contain a provision putting into operation all the necessary machinery for the drawing of grand and petit juries, summoning witnesses, and making applicable all laws that now pertain to circuit courts in this State, and needful for the conduct of such courts. The bill will contain a further provision naming the times, twice a year, when said court is to be held, one week for trial of civil causes and one for the disposition of criminal cases. The bill will contain yet another provision holding Barbour county free from all cost or expense in the erection and equipment of the buildings necessary for said branch court. The bill will also provide that, before the law creating the said branch court becomes effective, there shall be a vote on the question of the location and creation of said court and the said question

shall receive and be ratified by a majority vote of the qualified electors of Barbour county cast in the next general election to be held in November, 1908.

A. C. Dillard, Chairman,
G. E. Jones, Secretary.

The State of Alabama, }
Barbour County. }

Before me, W. D. Brock, a justice of the peace in and for said State and county, personally appeared G. Ernest Jones, who, being duly sworn, doth depose and say that he is the editor and publisher of the Clio Free-Press, a semi-monthly newspaper published in Clio, in said State and county, and that the accompanying notice has had successive and continuous publication in said paper for thirty days, viz: from the seventh day of June to the ninth day of July.

G. Ernest Jones,
Ed. & Pub. Clio Free-Press.

Sworn to and subscribed before me this ninth day of July, 1907.

W. D. Brock, Justice of the Peace.

H. 897. To change the boundary line between the counties of Cleburne and Calhoun.

Together with notice and proof of publication, hereto attached, as follows:

The State of Alabama, }
Calhoun County. }

Before me, E. F. Cook, judge of probate, in and for said county, personally appeared E. B. McKee, who being duly sworn, deposes and says that he is general manager of the Anniston Republic, a weekly newspaper published at Anniston, in Calhoun county, Alabama, and that the notice following, signed by John M. Snow and George W. Eichelberger, was published in said Anniston Republic for four consecutive weeks, beginning May 18th, 1907, to-wit:

1894

NOTICE.

Notice is hereby given that a bill will be introduced in the Legislature of Alabama at its next session to change the boundary line between Calhoun county and Cleburne county so as to take the following territory from Calhoun county, viz.: Sections twenty-one, twenty-eight, thirty-three, thirty-two, ~~twenty-nine and thirty-one~~, all in township fourteen, south of range ten, east in Calhoun county, and to annex the said territory to Cleburne county; and to take from Cleburne county the following territory, viz.: Sections one, two, three, ten, eleven, and twelve, in township seventeen, south of range eight, east, and to annex said territory to Calhoun county.

E. B. McKee.

Sworn to and subscribed before me, this 18 day of June, 1907.

E. F. Crook,
Judge of Probate.

NOTICE.

Notice is hereby given that a bill will be introduced in the Legislature of Alabama at the next session to change the boundary line between Calhoun county and Cleburne county, viz.: sections twenty-one, twenty-eight, thirty-three, thirty-two, twenty-nine and thirty-one, all in township fourteen, south of range ten east in Calhoun county, and to annex the said territory to Cleburne county; and to take from Cleburne county the following territory, viz.: Sections one, two, three, ten, eleven and twelve, in township seventeen, south of range eight, east, and to annex said territory to Calhoun county.

John M. Snow,
Geo. W. Eichelberger.

The State of Alabama, }
Cleburne County. }

Before me, A. E. Carruth, judge of probate, in and for said State and county, personally appeared Anderson Johnson, who, being duly sworn, says that he is editor

and publisher of the New Era, a weekly newspaper published at Heflin, in Cleburne county, Ala., and that the notice hereto attached, signed by John M. Snow and George W. Eichelberger, was published in said New Era for four consecutive weeks, beginning May 11th, 1907.

Anderson Johnson, Ed. and Pub.

Sworn to and subscribed before me this 12th day of June, 1906.

A. E. Carruth,
Judge of Probate.

And has passed the following Senate bill:

S. 72. To appropriate all moneys received by the city of Attalla, in this State, as saloon license, to school purposes and to the payment of the interest on the bonded debt of the said city.

And return same herewith to the Senate.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

The House bills in the foregoing House message were severally read once and referred to appropriate standing committees as follows:

H. 888, to Agriculture.

H. 897, to County and County Boundaries.

BILLS ON THIRD READING.

The bill:

S. 449. To pass a law to require the governor to send a State examiner of public accounts or some other expert accountant to audit and examine into the accounts, and operations of all incorporated towns and cities in Dallas county, operating public utilities.

Was taken up.

The following amendment offered by the committee, to-wit:

Amend by adding after section 3 the following:

Sec. 4. Expenses of such examination shall be paid by such town or city.

Was adopted.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Hamburger	King	Moody	Spragins
Hayes	Leith	McWhorter	Strother
Heacock	Lowe	Overton	Teasley
Hinson	Lusk	Reese	Thomas
Horton	Merritt	Reid	White
Jones	Miller	Reynolds	Wilson

—24.

And said bill, as thus amended, was read a third time, at length, and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 30; nays, 0.

Yeas:

Messrs:

Barbour	Heacock	Merritt	Reynolds
Forrester	Hinson	Miller	Spragins
Gardner	Horton	Moody	Strother
Glenn	Jones	McWhorter	Teasley
Gunn	King	Overton	Thomas
Hamburger	Leith	Reese	White
Hamner	Lowe	Reid	Wilson
Hayes	Lusk		

—30.

The bill:

S. 400. To repeal an act approved February 13th, 1897, entitled an act to regulate the sale of spirituous, vinous or malt liquors in the corporate limits of the town of Roanoke, Randolph county, Alabama.

Was read a third time, at length, and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 26; nays, 0.

1897

Yeas :

Messrs :

Barbour	Horton	Miller	Reynolds
Blackmon	Jones	Moody	Spragins
Forrester	King	McWhorter	Strother
Hamner	Leith	Overton	Thomas
Hayes	Lowe	Reese	White
Heacock	Lusk	Reid	Wilson
Hinson	Merritt		

—26.

The bill :

S. 397. To fix the boundary line between the counties of Randolph and Cleburne and to define the same.

Was read a third time, at length, and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 24; nays, 0.

Yeas :

Messrs :

Forrester	Hayes	Leith	Reynolds
Gardner	Heacock	Lusk	Spragins
Glenn	Hinson	Moody	Strother
Gunn	Horton	Overton	Teasley
Hamburger	Jones	Reese	White
Hamner	King	Reid	Wilson

—24.

The bill :

S. 418. To fix the compensation to be allowed the sheriff and clerk of the circuit court of Conecuh county, Alabama, for all official duties for the compensation of which no express provision is made by law.

Was read a third time, at length, and passed.

Yeas, 22; nays, 0.

Yeas :

Messrs :

Barbour	Hinson	Moody	Spragins
Forrester	Horton	Overton	Teasley
Hamburger	Jones	Reese	Thomas
Hamner	King	Reid	White
Hayes	Merritt	Reynolds	Wilson
Heacock	Miller		

—22.

The bill:

S. 415. To repeal an act entitled "An act to authorize the the commissioners' court of Butler county to order elections for the establishment of districts in which stock shall be prevented from running at large.

Was read a third time, at length, and passed.

~~Yeas, 25; nays, 0.~~

Yeas:

Messrs:

Barbour	Gunn	Leith	McWhorter
Blackmon	Hamnei	Lowe	Overton
Davis	Heacock	Lusk	Reid
Doster	Horton	Merritt	Reynolds
Forrester	Jones	Miller	Spragins
Gardner	King	Moody	Wilson
Glenn			

--25.

The bill:

S. 413. To prevent the sale, barter, exchange and giving away of spirituous, vinous or malt liquors or intoxicating beverages of any kind, within two (2) miles of any church or house used for religious worship in the town of Sanford, in Covington county, and to provide punishment for violations of this act.

Was read a third time, at length, and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Merritt	Reynolds
Forrester	Heacock	Miller	Spragins
Glenn	Hinson	Moody	Strother
Gunn	Horton	Overton	Teasley
Hamburger	Jones	Reese	Thomas
Hamner	Lusk	Reid	Wilson

--24.

The bill:

S. 421. To prohibit the operation of traction engines on the public roads of Bibb county, Alabama.

Was read a third time, at length, and passed.

Yeas, 23; nays, 1.

Yeas:

Messrs:

Barbour	Gunn	Miller	Strother
Davis	Hamburger	Moody	Teasley
Doster	Heacock	McWhorter	Thomas
Forrester	Hinson	Reid	White
Gardner	Horton	Reynolds	Wilson
Glenn	Merritt	Spragins	

—23.

Nays: Mr. Lusk—1.

The bill:

S. 420. To further regulate the working of the public roads of Bibb county, Alabama.

Was read a third time, at length, and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Barbour	Heacock	Lusk	Strother
Forrester	Horton	Merritt	Teasley
Gardner	Jones	Moody	Thomas
Glenn	King	Reid	White
Gunn	Leith	Reynolds	Wilson
Hamburger	Lowe	Spragins	

—23.

The bill:

S. 501. To repeal an act entitled an act to regulate the trial of misdemeanors in Madison county, approved February 23, 1899, Acts 1898-99, page 1553 and to transfer all causes and proceedings pending in the county court of Madison county as regulated or established by said act, and all dockets and records thereof, to the law and equity court of Madison county, and to give such court jurisdiction of such causes and proceedings, and full power and authority thereover.

Was read a third time, at length, and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Barbour	Forrester	Gunn	Heacock
Blackmon	Gardner	Hamburger	Horton

Leith	Moody	Reid	Teasley
Lowe	McWhorter	Reynolds	Thomas
Lusk	Overton	Spragins	White
Merritt	Reese	Strother	Wilson
Miller			

—25.

The bill:

S. 502. To repeal all statutes and laws establishing county courts, and proceedings therein, within monthly terms, for the trial of misdemeanors so far as the county of Madison is concerned.

Was read a third time, at length, and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Barbour	Horton	Merritt	Spragins
Forrester	Jones	Miller	Strother
Gardner	King	McWhorter	Teasley
Glenn	Leith	Reese	Thomas
Gunn	Lowe	Reid	White
Hamburger	Lusk	Reynolds	Wilson

—24.

The bill:

S. 467. To prescribe rules of practice and procedure in the circuit court of Montgomery county and to define the powers of the judge of said court in reference thereto.

Was read a third time, at length, and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lusk	Spragins
Forrester	Horton	Merritt	Strother
Gardner	Jones	Miller	Teasley
Glenn	King	Moody	Thomas
Gunn	Leith	Reid	White
Hamburger	Lowe	Reynolds	Wilson

—24.

The bill:

S. 495. To create a board of education for the Huntsville school district of Madison county, Alabama, to provide for the election of their successors, to define the powers and duties of said board and provide for the management, support and maintenance of the public schools of said district.

Was read a third time, at length, and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Barbour	Hamburger	Leith	Spragins
Davis	Hamner	Lowe	Strother
Forrester	Hayes	Merritt	Teasley
Gardner	Horton	Miller	Thomas
Glenn	Jones	Moody	White
Gunn	King	Reynolds	Wilson

—24.

The bill:

S. 500. To fix the time of holding courts in the third judicial circuit of Alabama.

Was read a third time, at length, and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Lowe	Spragins
Forrester	Heacock	Lusk	Strother
Gardner	Hinson	Merritt	Teasley
Glenn	Jones	Reese	Thomas
Gunn	King	Reid	White
Hamburger	Leith	Reynolds	Wilson
Hamner			

—25.

The bill:

S. 493. To amend sections 7, 8, 14, 21, 24, 27, 29 and 32 of an act entitled an act to establish a law and equity court for Madison county, approved February 26, 1907.

Was read a third time, at length, and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Barbour	Horton	Merritt	Spragins
Forrester	Jones	Miller	Teasley
Hamburger	King	Moody	Thomas
Hamner	Leith	Reese	White
Hayes	Lowe	Reid	Wilson
Hinson	Lusk	Reynolds	

—23.

The bill:

S. 435. To confer on the governing bodies of towns and cities which own and operate dispensaries in counties where no part or the net profits of such dispensaries are divided with the counties in which they are so owned and operated, the right, power and authority to give to such counties a part of the net profits of such dispensaries, not exceeding forty per cent thereof, to be used and expended by the governing bodies of such counties in the improvement of the public roads of such county or counties.

Was read a third time, at length, and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Moody	Spragins
Blackmon	Hayes	McWhorter	Strother
Forrester	Heacock	Overton	Teasley
Gardner	Hinson	Reese	Thomas
Glenn	Horton	Reid	White
Gunn	Merritt	Reynolds	Wilson
Hamburger			

—25.

The bill:

H. 384. To repeal an act entitled "an act, to incorporate the Trulan Club," approved March 2, 1901.

Was read a third time, at length, and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Miller	Spragins
Forrester	Heacock	Moody	Strother
Gardner	Horton	McWhorter	Teasley
Glenn	King	Reese	Thomas
Gunn	Lusk	Reid	White
Hamburger	Merritt	Reynolds	Wilson
Hamner			

—25.

The bill:

S. 491. To vacate and annul the dedication of the following highways and parts of highways, situated in Birmingham, Jefferson county, Alabama, to-wit:

All of Morris street from its beginning at Eighth street to its end abutting the property heretofore known as the Owen property.

All of Eighth street from First avenue, north, to the right of way of the Alabama Great Southern Railroad Company.

All of Minnie street from First avenue, north, to the end thereof abutting the property of the Tennessee, Coal, Iron & Railroad Co.

Was read a third time, at length, and passed.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Barbour	Hamburger	Leith	Spragins
Bayles	Hamner	Lowe	Strother
Blackmon	Hayes	Lusk	Teasley
Davis	Heacock	Merritt	Thomas
Doster	Horton	Miller	White
Forrester	Jones	Moody	Wilson
Gardner	King	Reid	

—27.

The bill:

S. 260. To detach the county of Winston from the northwestern chancery division of Alabama; to confer equity jurisdiction on the circuit court of said county;

to provide for the appointment of a register for the equity side of said circuit court.

Was read a third time, at length, and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Blackmon	Hayes	Merritt	Spragins
Forrester	Jones	Miller	Strother
Glenn	King	Overton	Teasley
Gunn	Leith	Reese	Thomas
Hamburger	Lowe	Reid	White
Hamner	Lusk	Reynolds	Wilson

—24.

The bill:

S. 356. To repeal an act entitled an act in relation to trials of misdemeanors in Fayette county, Alabama, approved December 13, 1900.

Was read a third time, at length, and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Barbour	Hamburger	King	Moody
Bayles	Hamner	Leith	McWhorter
Forrester	Hayes	Lowe	Strother
Gardner	Heacock	Lusk	Teasley
Glenn	Hinson	Merritt	Thomas
Gunn	Jones	Miller	Wilson

—24.

The bill:

H. 827. For the relief of Mrs. Leanna J. Humble, a resident of DeKalb county, indigent widow of David Humble who was a confederate soldier and citizen of DeKalb county, Alabama, at the time of his death, making her a confederate pensioner under the act of the General Assembly of Alabama, approved the 10th day of February, 1899, and entitled, "An act for the relief of needy confederate soldiers, and sailors, resident citizens of Alabama and their widows."

Was read a third time, at length, and passed.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Lowe	Reynolds
Forrester	Heacock	Lusk	Spragins
Gardner	Horton	Miller	Strother
Glenn	King	Overton	Teasley
Gunn	Leith	Reese	White

—20.

The bill:

S. 445. To fix and provide for the salary of the judge of the city court of Selma.

Was read a third time, at length, and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 19; nays, 1.

Yeas:

Messrs:

Barbour	Hayes	Miller	Strother
Forrester	Hinson	Overton	Thomas
Gardner	Horton	Reese	White
Gunn	Jones	Reynolds	Wilson
Hamner	King	Spragins	

—19.

Nays: Mr. Lusk—1.

The bill:

S. 439. To appropriate the sum of thirty (\$30.00) dollars for the relief of C. R. Gibson as a confederate pensioner for the year 1906, his name having been erroneously omitted from the pension roll as being dead, and to reinstate him upon the pension roll of Pike county as a pensioner under the act for the relief of needy confederate soldiers and their widows, approved February 10th, 1899.

Was read a third time, at length, and passed.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Barbour	Hinson	Miller	Strother
Gardner	Horton	Overton	Teasley
Gunn	Jones	Reese	Thomas
Hamner	Lusk	Reynolds	White
Hayes	Merritt	Spragins	Wilson
Heacock			

—21.

The bill:

S. 440. To appropriate the sum of thirty (\$30.00) dollars for the relief of I. Moody as a confederate pensioner for the year 1906, his name having been erroneously omitted from the pension roll, and to reinstate him upon the pension roll of Pike county as a pensioner under the act for the relief of needy confederate soldiers and their widows, approved February 10, 1899.

Was read a third time, at length, and passed.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Merritt	Reynolds
Forrester	Heacock	Miller	Spragins
Gardner	Hinson	Moody	Strother
Gunn	Horton	Overton	Teasley
Hamburger	Jones	Reese	Wilson
Hamner	Lusk		

—22.

The bill:

S. 458. To create the office of court stenographer for Dallas county; to provide for his appointment and compensation; to prescribe his powers and duties; and to provide for the taxing and collection and disposal of stenographer's fees in the courts of record in Dallas county.

Was read a third time, at length, and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Merritt	Strother
Doster	Heacock	Miller	Teasley
Forrester	Hinson	Overton	Thomas
Gunn	Horton	Reid	White
Hamburger	Jones	Reynolds	Wilson
Hamner	Leith	Spragins	

—23.

The bill:

S. 450. To refund to Selma mortgage tax paid by it on the deed of trust made by it to the Chicago Title &

Trust Company to secure the Selma Water Works bonds.

Was read a third time, at length, and passed.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Barbour	Horton	Overton	Strother
Forrester	Jones	Reese	Teasley
Glenn	Leith	Reid	Thomas
Gunn	Lusk	Reynolds	White
Hayes	Merritt	Spragins	Wilson
Heacock	Miller		

—22.

The bill:

S. 401. For the relief of J. L. Smith, an ex-confederate soldier, being a resident of Randolph county, Alabama. Whereas, J. L. Smith has long been on the pension rolls of Randolph county, Alabama, but for the year of 1906 his name was dropped from said rolls through mistake.

Was read a third time, at length, and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Moody	Spragins
Forrester	Heacock	McWhorter	Strother
Gardner	Horton	Overton	Teasley
Glenn	Leith	Reese	Thomas
Gunn	Lusk	Reid	White
Hamburger	Merritt	Reynolds	Wilson
Hamner	Miller		

—26.

The bill:

S. 396. To repeal an act approved December 13, 1900, entitled an act to establish, maintain and regulate a dispensary in the town of Roanoke, Randolph county, Alabama, for the sale of spirituous, vinous or malt liquors,

ciders and other intoxicants and to establish a board of commissioners for the management of said dispensary and for other purposes.

Was read a third time, at length, and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 28; nays, 0.

Yeas:

Messrs.

Barbour	Hamner	Lowe	Reid
Blackmon	Hayes	Lusk	Reynolds
Forrester	Heacock	Merritt	Spragins
Gardner	Horton	Miller	Strother
Glenn	Jones	Moody	Thomas
Gunn	King	Overton	White
Hamburger	Leith	Reese	Wilson

—28.

The bill:

S. 385. To authorize the county of Limestone to construct public roads and to provide the method and manner of their construction and building.

Was read a third time, at length, and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Barbour	Heacock	Lowe	Reynolds
Forrester	Hinson	Lusk	Spragins
Gardner	Horton	Merritt	Strother
Glenn	Jones	Miller	Thomas
Gunn	King	Overton	White
Hamner	Leith	Reese	Wilson
Hayes			

—25.

The bill:

S. 407. To vacate the dedication of the following alleys and part of a street in the Elyton Land Company's survey in the city of Birmingham, Alabama; the alley bisecting block 94 and the alley bisecting block 95 and that part of Fifteenth street lying between the north line of First avenue and the south line of Second ave-

nue; and to provide compensation for any property owner injured thereby.

Was read a third time, at length, and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Bayles	Heacock	Lowe	Reid
Glenn	Hinson	Lusk	Spragins
Gunn	Horton	Merritt	Strother
Hamburger	Jones	Miller	Teasley
Hamner	King	Moody	White
Hayes	Leith	Reese	Wilson

—24.

The bill:

H. 607. To prevent the sale of intoxicating liquors within certain limits in the corporate limits of the city of Talladega and to punish violations of the same.

Was read a third time, at length, and passed.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Forrester	Hinson	Miller	Strother
Glenn	Horton	Overton	Teasley
Gunn	Jones	Reese	Thomas
Hamburger	Leith	Reid	White
Hamner	Lusk	Spragins	Wilson
Heacock	Merritt		

—22.

The bill:

S. 392. To authorize Talladega county, Alabama, to build and construct macadam, chert and gravel public roads and the necessary bridges, culverts and drainways therefor and to issue bonds of said county to aid in the construction and building thereof.

Was read a third time, at length, and passed.

Yeas, 24; nays, 0.

Yeas :

Messrs :

Barbour	Hayes	Lusk	Spragins
Forrester	Heacock	Miller	Strother
Glenn	Hinson	Overton	Teasley
Gunn	Horton	Reese	Thomas
Hamburger	Jones	Reid	White
Hamner	Leith	Reynolds	Wilson

—24.

The bill :

S. 479. To provide for the more efficient working of the public roads in Mobile county and certain streets and public thoroughfares in the city of Mobile; provide for the control, working, building, maintenance and improvement of the same by the board of revenue and road commissioners Mobile county; to prescribe the duties and fix the authority of said board; and provide for the levy and collection of a road tax and the method of disbursing moneys necessary to carry out the provisions of this act, and provide penalties for violations of its provisions.

Was read a third time, at length, and passed.

Yeas, 20; nays, 0.

Yeas :

Messrs :

Bayles	Hinson	Merritt	Spragins
Glenn	Horton	Miller	Teasley
Hamburger	Jones	Moody	Thomas
Hamner	Leith	Reid	White
Heacock	Lusk	Reynolds	Wilson

—20.

The bill :

S. 478. To provide for the election of a harbor master and three deputy harbor masters and to regulate their duties and provide for their compensation.

Was read a third time, at length, and passed.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Heacock	Lusk	Reid
Forrester	Hinson	Merritt	Reynolds
Gardner	Horton	Miller	Strother
Gunn	Jones	Moody	Thomas
Hamburger	King	Overton	White
Hamner	Leith	Reese	Wilson
Hayes	Lowe		

—26.

The bill:

S. 488. To increase the salary of the solicitor of the county of Etowah, as now fixed by law, and to fix the same, and to provide for its payment.

Was read a third time, at length, and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Forrester	Horton	Merritt	Reynolds
Glenn	Jones	Miller	Spragins
Gunn	King	Moody	Strother
Hamburger	Leith	Overton	Teasley
Hamner	Lowe	Reese	White
Hinson	Lusk	Reid	Wilson

—24.

The bill:

S. 411. To divide the county of Lowndes into five districts and to provide for the election of a member of the board of revenue from each district.

Was read a third time, at length, and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Barbour	Heacock	Miller	Spragins
Forrester	Hinson	Moody	Strother
Glenn	Horton	Overton	Teasley
Gunn	Jones	Reese	Thomas
Hamburger	Leith	Reid	White
Hamner	Lusk	Reynolds	Wilson

—24.

The bill :

S. 412. To provide for the compensation of the deputy solicitor of Lowndes county.

Was read a third time, at length, and passed.

Yeas, 25; nays, 0.

Yeas :

Messrs :

Barbour	Heacock	Lowe	Reynolds
Forrester	Hinson	Lusk	Spragins
Glenn	Horton	Miller	Teasley
Gunn	Jones	McWhorter	Thomas
Hamburger	King	Overton	White
Hamner	Leith	Reese	Wilson
Hayes			

—25.

The bill :

H. 828. To alter and rearrange the boundaries of the town of Newberne in Hale county, Alabama.

Was read a third time, at length, and passed.

Yeas, 24; nays, 0.

Yeas :

Messrs :

Barbour	Hayes	Lusk	Reid
Forrester	Heacock	Merritt	Reynolds
Glenn	Horton	Miller	Strother
Gunn	Jones	McWhorter	Thomas
Hamburger	Leith	Overton	White
Hamner	Lowe	Reese	Wilson

—24.

The bill :

H. 829. To further regulate the fine and forfeiture fund of Hale county, Alabama.

Was read a third time, at length, and passed.

Yeas, 22; nays, 0.

Yeas :

Messrs :

Barbour	Hayes	Lusk	Reid
Forrester	Heacock	Merritt	Reynolds
Glenn	Horton	Miller	Spragins
Gunn	Jones	McWhorter	Thomas
Hamburger	Leith	Reese	Wilson
Hamner	Lowe		

—22.

The bill:

S. 414. To prevent the sale, barter, exchange and giving away of spirituous, vinous or malt liquors, or intoxicating beverages of any kind, within the territory now embraced in the election precinct No. nine (9) in Covington county, Alabama, except within the present corporate limits of the town of Florala and to provide punishment for violations of this act.

Was read a third time, at length, and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Forrester	Hayes	Low	Reid
Gardner	Heacock	Lusk	Reynolds
Glenn	Hinson	Merritt	Spragins
Gunn	Jones	Miller	Thomas
Hamburger	King	Moody	White
Hamner	Leith	McWhorter	Wilson

—24.

The bill:

S. 484. To fix the time of holding the circuit courts in the counties of Walker and Winston, composing the fourteenth judicial circuit of the State of Alabama.

Was read a third time, at length, and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Hinson	Merritt	Reynolds
Glenn	Horton	Miller	Strother
Gunn	Jones	Moody	Teasley
Hamburger	King	Overton	Thomas
Hamner	Leith	Reese	White
Hayes	Low	Reid	Wilson
Heacock	Lusk		

—26.

The bill:

S. 482. To regulate the practice in the circuit court of Walker county, Alabama; to provide rules of prac-

tice for said court; and to provide for drawing juries for said court.

Was read a third time, at length, and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Gardner	Hinson	Lusk	Reid
Gunn	Horton	Merritt	Reynolds
Hamburger	Jones	Miller	Spragins
Hamner	King	Moodv	Thomas
Hayes	Leith	McWhorter	White
Heacock	Lowe	Reese	Wilson

—24.

The bill:

S. 395. To amend an act entitled "An act to establish a charter for the town of Wedowee, Randolph county, Alabama," approved February 8, 1901.

Was read a third time, at length, and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Merritt	Reynolds
Forrester	Hayes	Miller	Spragins
Gardner	Jones	Moody	Teasley
Glenn	Leith	Overtton	Thomas
Gunn	Lowe	Reese	Wilson
Hamburger			

—21.

The bill:

S. 443. To prohibit the sale or otherwise disposing of spirituous, vinous or malt liquors, intoxicating drinks, bitters or beverages, in Dale county, Alabama.

Was read a third time, at length, and passed.

Yeas, 20; nays, 0.

Yeas :

Messrs :

Barbour	Hamner	Miller	Strother
Forrester	Heacock	Overton	Teasley
Gardner	Jones	Reese	Thomas
Gunn	Leith	Reid	White
Hamburger	Merritt	Reynolds	Wilson

—20.

The bill :

S. 496. To amend section 12 of an act entitled an act to establish, maintain, regulate and make efficient a dispensary for Madison county, located in the city of Huntsville, approved February, 1907, and to add section 13 1-2 thereto.

Was read a third time, at length, and passed.

Yeas, 25; nays, 0.

Yeas :

Messrs :

Barbour	Hayes	Lusk	Reid
Doster	Heacock	Merritt	Spragins
Forrester	Horton	Miller	Teasley
Gardner	Jones	McWhorter	Thomas
Gunn	King	Overton	White
Hamburger	Leith	Reese	Wilson
Hamner			

—25.

The bill :

S. 490. To vacate and annul the dedication of the following highways and parts of highways, situated in Jefferson county, Alabama, to-wit: All that part of the alleys lying and running through blocks 83, 122, 126 and 168, lying within one hundred feet of Fourteenth street and the continuation thereof, the said blocks being described according to the survey, map and plan of the city of Bessemer, by the Bessemer Land & Improvement Company, and situated in Bessemer, Jefferson county, Alabama.

Also all that part of the alley in block B of Hall's edition to Bessemer, map and plan of the survey of which is recorded in the office of judge of probate of Jefferson county, Alabama, in map book 3 at page 3, which lies

within two hundred feet of the continuation of Fourteenth street along the northwest boundary of said block, and situated in Jefferson county:

Also all that part of Dexter avenue lying within one hundred feet of Fourteenth street in the city of Bessemer, Jefferson county, Alabama.

Also all that part of Seventh street lying between First avenue and ~~Alabama avenue in the city of Bessemer~~, Jefferson county, Alabama, and also all the alleys lying within and running through blocks two hundred and one and two hundred and two in the city of Bessemer, Jefferson county, Alabama.

Was read a third time, at length, and passed.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Barbour	Hinson	Miller	Reynolds
Forrester	Jones	Moody	Spragins
Glenn	King	Overton	Thomas
Gunn	Leith	Reese	White
Hamner	Merritt	Reid	Wilson
Hayes			

—21.

The bill:

S. 489. To vacate and annul the dedication of the following highways and parts of highways, situated in Jefferson county, Alabama, to-wit:

All of Sadler Avenue; the south half of Lucian avenue from Center of Emma street to center of Telula street; all of Lucian avenue from center of Telula street to eastern boundary of Ella street; all of Ella street lying south of a continuation of the south line of the alley running easterly and westerly through block 25 and north of center of Valley Creek canal; all Telula street lying south of center of Lucian avenue and north of Center of Valley Creek canal; the east half of Telula street lying between a continuation of the south line of the alley running easterly and westerly through block twenty-five and center of Lucian avenue; all oo Emma street lying south of a continuation of the south line of the alley running easterly and westerly through block twen-

ty-five and center of Lucian avenue; all of Emma street lying south of a continuation of the south line of the alley running easterly and westerly through block twenty-eight, and north of the center of Valley Creek canal; the east half of Emma street lying between the continuation of the south line of the alley running easterly and westerly through block twenty-eight and the center of Lucian avenue; and all the alleys in or through blocks twenty-nine, thirty and thirty-one; all being located according to the survey, map and plan of Owenton a map of which is recorded on map book two, a tpage twenty-six, in the office of the probate judge of Jefferson county, Alabama.

Was taken up.

Mr. Miller offered the following amendment, to-wit:

Be it resolved, that Senate bill 489 be amended by adding at the end thereof the following words, viz.:

Provided that this act shall not be held or construed to vacate or otherwise interfere with the public road now located and established across the property included within the boundaries of the streets and avenues herein mentioned.

Which was adopted.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lusk	Spragins
Forrester	Hayes	Merritt	Strother
Gardner	Heacock	Miller	Teasley
Glenn	Hinson	Overton	Thomas
Gunn	Leith	Reese	White
Hamburger	Lowe	Reynolds	Wilson

—24.

And the bill, as thus amended, was read a third time, at length, and passed.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Lusk	Spragins
Doster	Hinson	Merritt	Strother
Forrester	Horton	Miller	Teasley
Glenn	Jones	Moody	Thomas
Gunn	King	Reese	White
Hamburger	Leith	Reid	Wilson
Hamner	Lowe	Reynolds	

—27.

The bill:

S. 492. To vacate and annul the dedication of the following highways and parts of highways, situated in Smithfield, Jefferson county, Alabama, according to the plan and survey of Smithfield by Dr. Joseph R. Smith, Sr., to-wit:

All that part of Thomas street lying between Valley Creek canal and Salley avenue.

All of Joseph street lying between Calley Creek canal and Irene avenue.

All of Mortimer street lying between Valley Creek canal and Agnes avenue.

All of Joseph street lying between Valley Creek canal and Mortimer street.

Was taken up.

Mr. Miller offered the following amendment, to-wit:

Be it resolved that Senate bill 492 be amended by striking from the caption of the bill and from the body of the bill the following words:

"All of Agnes avenue lying between Valley Creek canal and Mortimer street."

Which was adopted.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Lusk	Reid
Forrester	Heacock	Merritt	Spragins
Glenn	Hinson	Miller	Teasley
Gunn	Jones	Moody	Thomas
Hamburger	King	Overton	Wilson
Hamner	Leith	Reese	

—23.

And said bill, as thus amended, was read a third time, at length, and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Barbour	Heacock	Miller	Spragins
Doster	Hinson	Moody	Strother
Forrester	Leith	Overton	Teasley
Gardner	Lowe	Reese	Thomas
Hamburger	Lusk	Reid	White
Hamner	Merritt	Reynolds	Wilson
Hayes			

—25.

The bill:

S. 448. To repeal an act entitled an act "To define who are delinquent children and to provide for their arrest and care and reformation, approved March 12, 1907," in so far as it applies to Dallas county.

Yeas, 21; nays, 0.

Yeas, 18; nays, 1.

Yeas:

Messrs:

Gunn	Jones	Reid	Teasley
Hamner	King	Reynolds	Thomas
Hayes	McWhorter	Spragins	White
Heacock	Overton	Strother	Wilson
Horton	Reese		

—18.

Nays: Mr. Lusk—1.

The bill:

S. 497. To provide that no license or tax of any character shall be required by State, county or municipality from the Tennessee Fair Association or from those who conduct business under contract with it on its grounds during the time its annual fair is actually in progress.

Was read a third time, at length, and passed.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Lowe	Spragins
Blackmon	Heacock	Lusk	Strother
Forrester	Hinson	Miller	Thomas
Gunn	Jones	Overton	White
Hamburger	King	Reynolds	Wilson
Hamner	Leith		

—21.

The bill:

S. 494. To fix the times and place of holding the chancery court in the eighth district of the northern division composed of the county of Madison.

Was read a third time, at length, and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Merritt	Strother
Blackmon	Hayes	Miller	Teasley
Forrester	Jones	Moody	Thomas
Glenn	King	Reid	White
Gunn	Lowe	Reynolds	Wilson
Hamburger	Lusk	Spragins	

—23.

ADJOURNMENT.

The hour of 5 o'clock p. m. having arrived, the Senate under resolution, adjourned until 9 o'clock tomorrow morning.

1921

FORTY-FIRST DAY.

July 17th, 1907.

The Senate met pursuant to adjournment.
Prayer by Rev. Mr. Malone, of the House.

ROLL CALL.

On a call of the roll the following Senators answered to their names:

Messrs:

Barbour	Hayes	Lusk	Reynolds
Bayles	Heacock	Merritt	Spragins
Doster	Hinson	Miller	Strother
Forrester	Horton	Moody	Teasley
Gardner	Jones	McWhorter	Thomas
Glenn	King	Overton	White
Gunn	Leith	Reese	Wilson
Hamner	Lowe	Reid	

—31

JOURNAL.

On motion of Mr. Gunn, the reading of the Journal was dispensed with, and the same was approved.

PRIVILEGES OF THE FLOOR.

Were extended for the day to Messrs. O. H. Underwood, Charles Carmichael, W. O. Mulkey, W. R. Chapman, Hugh Morrow, T. L. Sowell, of Walker, C. S. McDowell, of Eufaula.

INTRODUCTION OF BILLS.

On a call of the districts, bills were introduced, read one time and referred to appropriate standing committees as follows:

1922

By Mr. Reynolds:

S. 583. To fix and increase the compensation for ex-officio services of the sheriff of Perry county, Alabama.
Local Legislation.

With notice and proof as follows:

NOTICE.

An application will be made to the present session of the Legislature of Alabama for the passage of a bill to be entitled an act—to increase the ex-officio services of the sheriff of Perry county, Alabama, so that for empannelling grand juries, advertising and attending all elections in his county and for all other public services not otherwise provided for such sum as may be allowed by the court of county commissioners to be paid out of county treasury not exceeding five hundred dollars per annum.

S. A. Nelms.

The State of Alabama, }
County of Perry. }

Before me, J. B. Shivers, judge of probate of Perry county, Alabama, appeared A. L. Pope, who, after being duly sworn, deposes and says on oath, as follows, to-wit: That he is foreman in charge of the Marion Standard, a weekly newspaper, published in Marion, Perry county, Alabama; that said Marion Standard has published the attached notice for four consecutive weeks, beginnig on the 24 day of May, 1907.

A. L. Pope.

Subscribed and sworn to before me this the 11th July, 1907.

J. B. Shivers,
Judge of Probate of Perry Co., Ala.

By Mr. Reid:

S. 584. To fix the compensation to be allowed the sheriff of Butler county, Alabama, for empanneling grand juries, advertising and attending to elections in Butler county and for all other public services and of-

ficial duties for the compensation of which no express provision of law is made. Local Legislation.

With notice and proof as follows:

The State of Alabama, }
Butler County. }

Before me, Bennie Williams, a notary public in and for said county and State, personally came J. B. Stanley, who, being by me first duly sworn, doth depose and say as follows, to-wit: That he is the editor and publisher of The Greenville Advocate, a newspaper published at Greenville, in said county and State; that the notice, a copy of which is hereto set out, was published in said Greenville Advocate for four consecutive weeks beginning the 12th day of June, 1907.

J. B. Stanley.

NOTICE.

You will please take notice that a bill will be introduced at the adjourned term of the present session of the Legislature of Alabama, which convenes in Montgomery on July 9th, 1907, which bill will provide for the payment of———dollars to the sheriff of Butler county, Alabama, for impannelling grand juries, advertising and attending elections in Butler county, and for all other public service not otherwise provided for, the same to be paid out of the county treasury and to be paid by order of the court of county commissioners. This the 7th day of June, 1907.

Sworn to and subscribed before me this 11th day of July, 1907.

Bennie Williams,
Notary Public.

By Mr. Reid:

S. 585. To authorize and empower the court of county commissioners of Butler county to employ a janitor for Butler county, who shall be under the control and direction of the sheriff of Butler county, to prescribe his duties and to provide for the payment of such janitor. Local Legislation.

1924.

With notice and proof as follows:

The State of Alabama, }
Butler County. }

Before me, Bennie Williams, a notary public in and for said county and State, personally came J. B. Stanley, who, being by me first duly sworn, doth depose and say as follows, to-wit: That he is the editor and publisher of The Greenville Advocate, a newspaper published at Greenville, in said county and State; that the notice, a copy of which is hereto set out, was published in said Greenville Advocate for four consecutive weeks beginning the 12th day of June, 1907.

J. B. Stanley.

NOTICE.

You will please take notice that a bill will be introduced at the adjourned term of the present session of the Legislature of Alabama, which convenes in Montgomery, Alabama, on July 9th, 1907, which bill will provide that the court of county commissioners of Butler county, Alabama, be allowed to employ a janitor for Butler county, Alabama, who shall be under the control and direction of the sheriff of Butler county, Alabama, and whose duties shall be to do and perform any and all services which shall be required of him in and around the court house of Butler county, Alabama, his salary to be fixed by the court of county commissioners of Butler county, and to be paid out of the county treasury of Butler county, on an order from the county commissioners of Butler county, Alabama. This the 7th day of June, 1907.

Sworn to and subscribed before me this 11th day of July, 1907.

Bennie Williams,
Notary Public.

By Mr. Reid:

S. 586. To fix the compensation to be allowed the circuit clerk of Butler county, Alabama, for all official duties not otherwise provided for.

Local Legislation.

With notice and proof as follows:

The State of Alabama, }
Butler County. }

Before me, Bennie Williams, a notary public in and for said county and State, personally came J. B. Stanley, who, being by me first duly sworn, doth depose and say as follows, to-wit: That he is the editor and publisher of The Greenville Advocate, a newspaper published at Greenville, in said county and State; that the notice, a copy of which is hereto set out, was published in said Greenville Advocate for four consecutive weeks beginning the 12th day of June, 1907.

J. B. Stanley.

NOTICE.

You will please take notice that a bill will be introduced at the adjourned term of the present session of the Legislature of Alabama, which convenes in Montgomery on the 9th day of July, 1907, which bill will provide for the payment to the clerk of the circuit court of Butler county, Alabama, the sum of _____ dollars for performing official duties not otherwise provided for, said sum to be paid from the county treasury and to be paid and allowed by the court of county commissioners. This the 7th day of June, 1907.

Sworn to and subscribed before me this 11th day of July, 1907.

Bennie Williams,
Notary Public.

By Mr. Reid:

S. 587. To fix the compensation to be allowed the sheriff of Butler county, Alabama, for services rendered by the sheriff of Butler county, Alabama, in the county court of Butler county, and to provide for the payment of said compensation.

Local Legislation.

With notice and proof:

The State of Alabama, }
Butler County. }

Before me, Bennie Williams, a notary public in and for said county and State, personally came J. B. Stanley, who, being by me first duly sworn, doth depose and say as follows, to-wit: That he is the editor and publisher of The Greenville Advocate, a newspaper published at Greenville, in said county and State; that the notice, a copy of which is hereto set out, was published in said Greenville Advocate for four consecutive weeks beginning the 12th day of June, 1907.

J. B. Stanley.

NOTICE.

You will please take notice that a bill will be introduced at the adjourned term of the present session of the Legislature of Alabama, which convenes in Montgomery on July 9th, 1907, which bill will provide that the sheriff of Butler county, Alabama, shall be entitled to and receive the same fees for services rendered in the county court of Butler county as the sheriff of Butler county, Alabama, is entitled to and receive for the same services rendered in the circuit court of Butler county, Alabama, said fees to be taxed and paid in the same manner as now prescribed by law for services rendered by the sheriff of Butler county, Alabama, in the circuit court of Butler county, Alabama. This the 7th day of June, 1907.

Sworn to and subscribed before me this 9th day of July, 1907.

Bennie Williams,
Notary Public.

By Mr. Reid:

S. 588. To authorize and empower the court of county commissioners of Butler county to contract for and place in the office of the various officers of said county, telephones, writing machines and other mechanical devices as in the opinion of the said court of county

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commissioners is necessary or expedient and to contract for and place in the jail and poor houses of said county such telephones as may be necessary.

Local Legislation.

With notice and proof as follows:

The State of Alabama, }
Butler County. }

Before me, Bennie Williams, a notary public in and for said county and State, personally came J. B. Stanley, who, being by me first duly sworn, doth depose and say as follows, to-wit: That he is the editor and publisher of The Greenville Advocate, a newspaper published at Greenville, in said county and State; that the notice, a copy of which is hereto set out, was published in said Greenville Advocate for four consecutive weeks beginning the 12th day of June, 1907.

J. B. Stanley.

NOTICE.

You will please take notice that a bill will be introduced at the adjourned term of the present session of the Legislature of Alabama, which convenes in Montgomery on July 9th, 1907, which bill will provide that the court of county commissioners of Butler county, Alabama, be authorized and empowered to contract for and place in the office of the various officers of said county who have their offices in the court house, such telephones, writing machines and other mechanical devices as in the opinion of said court is necessary or expedient; and the said court be further authorized and empowered to contract for and place in the jail and poor house of said county, such telephones as they may deem necessary. This the 7th day of June, 1907.

Sworn to and subscribed before me this 11th day of July, 1907.

Bennie Williams,
Notary Public.

By Mr. Reese:

S. 589. To amend sections 1 and 3 of an act entitled an act "To prohibit the sale of adulterated cotton seed meal as fertilizer, to have the same analyzed and a guaranteed analysis printed on tags and tags attached to the bags containing the same, and in case of sales in bulk to have such analysis set forth in the contract of sale, ~~and providing penalties and punishment for violations~~ of the provisions of this act," approved March 2, 1907.

Revision of Laws.

By Mr. Reid:

S. 590. To regulate the employment of minors in factories or manufacturing establishments in this State and to provide for the punishment for violations of the regulations prescribed.

Mining and Manufacturing.

By Mr. Hamburger:

S. 591. To provide for compulsory pilotage on all vessels and crafts crossing the outer bar of Mobile bay, except vessels engaged in American coast-wise trade, and to repeal all laws in conflict herewith.

By Mr. Hamburger:

S. 592. To amend section 1 of an act entitled an act to alter, re-arrange and extend the corporate limits of the city of Mobile, Alabama, approved March 2, 1907.

Military.

With notice and proof as follows:

NOTICE.

To whom it may concern:

This is to give notice that at the reconvened session of the Legislature of Alabama, to be held during July, 1907, there will be introduced a bill to amend section 1 of the act passed by the said Legislature of Alabama, and approved March 2, 1907, said act being entitled "An act to alter, re-arrange and extend the corporate limits of the city of Mobile, Alabama," by changing said section 1 to read as follows:

"That from and after the passage of this act, the corporate limits of the city of Mobile, Ala., shall be altered, re-arranged and extended as follows: "Commencing at the north bank of Three Mile creek at its mouth, thence running east to the east bank of Spanish river, thence down the east bank of said river to the extreme southern point of the island, thence south to a point which will intersect the south boundary of township No. 4, thence west to a point where a north line will strike the Three Mile creek at the old portage, thence down the left bank of said Three Mile creek to the place of beginning.

The State of Alabama, }
County of Mobile. }

Before me, Robert J. McCleery, a notary public, in and for said county and State, personally appeared Michael P. Dowling, known to me to be the bookkeeper of The Item Publishing Company, who, being by me first duly sworn, deposes and says on oath, that he is the bookkeeper of The Item Publishing Company; that The Item Publishing Company publishes The Mobile Daily Item, which is a daily newspaper, published in the city of Mobile, county of Mobile, State of Alabama; and affiant further says on oath that the following printed notice, pasted to this affidavit, was published once a week for four consecutive weeks in The Mobile Daily Item, above mentioned. (Signed) Michael P. Dowling,
Bookkeeper of The Item Publishing Company.

Subscribed and sworn to before me this 12th day of July, 1907. Robert J. McCleery,
Notary Public, Mobile County, Alabama.

By Mr. Hamburger, (by request):

S. 593. To extend the term of tax collectors, tax assessors, coroners and county treasurers.

Judiciary.

By Mr. Teasley:

S. 594. To promote and encourage the erection of manufacturing plants in this State by exempting the same from taxation for a term of years.

Finance and Taxation.

~~By Mr. Teasley:~~

~~S. 595. To exempt from taxation all property of any person, firm or corporation who has heretofore patented and owns exclusively or has heretofore secured and owns exclusively or who shall hereafter patent and own exclusively or shall hereafter secure and own exclusively the patent right, on any article designed for the purpose of protecting human life and property and which has not heretofore been manufactured for sale, except such property as is devoted exclusively to the manufacture of such article, and to exempt from taxation the stock held by stockholders of such corporation.~~

Finance and Taxation.

REPORTS OF COMMITTEES.

Mr. Lusk, chairman of the standing committee on Judiciary, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report:

H. 907. To provide for the making of bonds of the State Auditor and Secretary of State through guarantee companies and to provide for the payment of the premium on same.

Mr. Miller, chairman of the standing committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report:

S. 125. (With amendment.) To provide for the payment out of the convict funds of certain items of costs in felony cases, to fix the amount of said items, and to prescribe the extent to which such costs will be paid, and the manner of paying them.

Mr. Merritt, chairman of the standing committee on Local Legislation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:

H. 912. To repeal an act entitled an act "To constitute a board of jury commissioners for Crenshaw county," approved February 7, 1899.

Also,

H. 1033. Providing for the more efficient working of the public roads in Wilcox county; to provide for the revenues for the same, including a vehicle license; to divide the county into five road districts; to appoint and elect road supervisors and overseers for the same; to provide for the appointment of one civil engineer; to provide for a commutation of \$7.50 per capita in lieu of work; and such other details as may be necessary for the working of the public roads in Wilcox county.

Also,

H. 964. To amend sections 5 and 15 of an act entitled "An act to establish the Lee county court of law and equity, prescribe its jurisdiction and powers, its rules of practice and procedure, provide for the selection of its officers, prescribe their powers, duties, compensation and term of office, fix the time of holding said court, provide for fees, commissions, fines, forfeitures and juries in said court; provide for supplies for said court, and repeal conflicting laws," approved the 5th day of March, 1907.

Also,

H. 932. To vacate and annul as a public street or highway that part of Seventh or Twenty-third street in the town of North Birmingham, Alabama, which lies northwestwardly of the northern line of Avenue A or Thirty-sixth avenue and southwestwardly of the southern line of Avenue B or Thirty-seventh avenue, and to extinguish and annul the dedication thereof.

Also,

S. 559. To refund to Charles Bassett, Gus Bassett, D. J. O'Connell and T. L. Baker, or their heirs, the sum of three hundred and forty dollars, being purchase money for certain lands heretofore erroneously sold to them by the State of Alabama.

Also,

S. 560. To provide for the appointment by the judges of the city court of Birmingham of the necessary bailiffs for said court, and to fix the duties, powers, liabilities and compensations of said bailiffs, and to provide for the payment of their compensation.

~~Mr. Horton, chairman of the standing committee on Agriculture, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:~~

S. 574 1-2. To ratify and confirm and legalize all warrants heretofore issued by the court of county commissioners of Wilcox county for the use and benefit of the underwriters of the Camden branch of the Louisville & Nashville Railroad.

Also,

S. 575. To ratify and confirm the acts and contracts of the court of county commissioners of Wilcox county, or other authorized agents of said county, borrowing money for the use and benefit of said county, and to ratify and confirm the warrants given for money so borrowed and for the interest thereon, and for warrants heretofore issued for said purpose.

Mr. Reynolds, chairman of the standing committee on Education, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report:

H. 960. To amend section 1 of an act entitled an act "To aid and encourage technical education in the State of Alabama, and the providing for the erection and equipment of buildings and increased facilities at the Alabama Polytechnic Institute," approved March 2, 1907, so as to read as follows:

Mr. McWhorter, chairman of the standing committee on Temperance, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:

S. 539. To prohibit the sale of spirituous, vinous or malt liquors in prohibition counties in the State of Alabama.

Also,

S. 572. To prohibit the sale, barter, exchange, or giving away of vinous, spirituous or malt liquor or other intoxicating drinks or beverages in the county of Houston in the State of Alabama; and to provide for an offense and a penalty for the sale, barter, exchange, or giving away of vinous, spirituous or malt liquor, or other intoxicating drinks or beverages in the said county of Houston.

Mr. Carmichael, of Colbert:

H. 69. (Taken from adverse report by the committee on Local Legislation.) To authorize the court of county commissioners of Colbert county to pay the executor or administrator of the estate of James H. Simpson, late clerk of the circuit court of said county, for services rendered by the said James H. Simpson as such clerk for keeping the minutes of the circuit court of said county during the years 1897, 1898, 1899, 1900, 1901, 1902, 1903, the account for said service being barred by section 1420 of the Code.

Mr. Miller, chairman of the standing committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report:

H. 421. Providing for the survey and analysis and classification of soils of the State.

Mr. White, chairman of the standing committee on County and County Boundaries, reported that said committee had acted on the following bill and ordered same returned to the Senate with a favorable report:

H. 897. To change the boundary line between the counties of Cleburne and Calhoun.

The foregoing bills contained in said committee reports, were severally read a second time, and placed on the calendar.

1934

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bills and ordered same sent forthwith to the Senate without engrossment:

H. 1150. To amend "An act to provide for the settlement, adjustment and ~~refunding of the bonded indebtedness of municipal corporations.~~"

H. 1186. To provide for the publication of State papers, official records and of historical materials of the State of Alabama.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

The House bills in the foregoing House message, were severally read once and referred to appropriate standing committees as follows:

H. 1150 and 1186, to Finance and Taxation.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker of the House having signed the following joint resolution, your signature thereto is requested:

H. J. R. 255. Joint resolution relative to the election of United States Senator.

Cyrus B. Brown,
Clerk.

SIGNING OF JOINT RESOLUTION.

The President of the Senate, in the presence of the Senate, immediately after it had been publicly read at length by the secretary, signed the above House joint resolution, the title of which is set out in the foregoing message from the House.

1935

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and adopted the following House joint resolution:

By Mr. John:

H. J. R. 266. Resolved by the Legislature of Alabama, That the joint committee of the Legislature appointed to investigate the conduct of "The Alabama Insane Hospital," are authorized to employ a competent stenographer and instructed to proceed with the investigation as speedily as possible, and to enable them to do so, leave to sit during the session of the Legislature is hereby granted. That the committee shall have the power to send for persons, papers, and to swear and examine witnesses, and must make report to the Legislature of Alabama, not later than the forty-fifth legislative day.

And herewith sends the same to the Senate.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Lusk, the Senate concurred in H. J. R. 266, set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker of the House has appointed under H. J. R. No. 224, relative to investigating the Alabama Insane Hospitals at Tuscaloosa, Messrs. King, Arnold and Gunter.

And the House has passed the following Senate bill:

S. 233. Making it a misdemeanor to sell, give away or otherwise dispose of, in Mobile county, within three miles of section nine, township two, north, range one, east, spirituous, vinous or malt liquors or intoxicating bitters or beverages.

And returns same herewith to the Senate.

Cyrus B. Brown,
Clerk.

TO TAKE FROM ADVERSE REPORT.

Mr. White made motion to take from an adverse report from the committee on Commerce and Common Carriers:

S. 145. To prohibit the running of freight trains on the Sabbath day and to provide a penalty for its violation.

Which motion was lost.

On motion of Mr. McWhorter:

H. 69. To authorize the court of county commissioners of Colbert county to pay the executor or administrator of the estate of James H. Simpson, late clerk of the circuit court of said county, for services rendered by the said James H. Simpson as such clerk for keeping the minutes of the circuit court of said county during the years 1897, 1898, 1899, 1900, 1901, 1902, 1903, the account for said service being barred by section 1420 of the Code.

Was taken from an adverse report of the committee on Local Legislation, read a second time, and placed on the calendar for a third reading on tomorrow.

Yeas, 16; nays, 12.

Yeas:

Messrs:

Bayles	Gardner	Jones	Spragins
Blackmon	Glenn	King	Teasley
Doster	Hayes	Leith	White
Forrester	Heacock	McWhorter	Wilson

—16.

Nays:

Messrs:

Barbour	Horton	Miller	Reynolds
Hamner	Lusk	Moody	Thomas
Hinson	Merritt	Overton	Wimberly.

—12.

BILLS ON THIRD READING.

The bill:

H. 135. To prevent the shipment, transportation, or delivery, by any person, firm or corporation of any spirituous, vinous or malt liquors or intoxicating bitters, from any point in the State of Alabama, outside of a prohibition district, to any point in the State of Alabama, where spirituous, vinous or malt liquors or intoxicating bitters are prohibited from sale by law.

Was taken up.

The following substitute for said bill was offered by Mr. Merritt, to-wit:

A BILL

To be entitled an act, to prohibit the shipment, transportation, delivery or the soliciting of orders for the sale of any spirituous, vinous, malt or intoxicating liquors, beverages or bitters into any prohibition district in the State of Alabama.

Be it enacted by the Legislature of Alabama:

Sec. 1. It shall be unlawful for any person, firm or corporation, to accept for shipment, transportation or delivery any spirituous, vinous, malt or intoxicating liquors, beverages or bitters to any person, firm or corporation in any prohibition district in the State of Alabama, or at any point or place in said State where the sale of spirituous, vinous, malt or intoxicating liquors, beverages or bitters are prohibited by law.

Sec. 2. It shall be unlawful for any person, firm or corporation to deliver any spirituous, vinous, malt or intoxicating beverages or bitters, the sale of which is prohibited by law, within any prohibition district in the State of Alabama, except as may be authorized by this act, or the inter-state laws of the United States.

Sec. 3. It shall be unlawful for any person, firm or corporation to go into any prohibition district and there solicit orders for the sale or delivery of any spirituous, vinous, malt or intoxicating liquors, beverages, or bitters, the sale of which are prohibited by law,

whether the same are to be shipped from any point within or without the State of Alabama.

Sec. 4. No provision of this act is intended or shall be construed to violate or be in conflict with any provision of the inter-state laws of the United States; nor is it intended nor shall any provision of this act be construed so as to prevent or prohibit individuals from ~~bringing into prohibition districts upon their person, or~~ as their personal baggage, for their private use, such liquors, beverages or bitters included within this act, in quantities not to exceed one gallon, nor shall the provisions of this act apply to licensed physicians or druggists, to whom any public carrier may deliver pure grain alcohol in broken packages in quantities not to exceed five gallons at any one time.

Sec. 5. A prohibition district within the meaning of this act is any district or territory within the State of Alabama in which the sale of spirituous, vinous, malt or intoxicating liquors, beverages or bitters is prohibited by law.

Sec. 6. Any person, firm or corporation violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than fifty dollars nor more than five hundred dollars and may also be imprisoned in the county jail or sentenced to hard labor for the county for not more than six months.

Sec. 7. The provisions of this act shall be effective on and after January 1st, 1908.

Sec. 8. If any section or provisions of this act shall be held to be void or unconstitutional, it shall not affect or destroy the validity or constitutionality of any other section or provision of such act which is not, of itself, void or unconstitutional.

Sec. 9. All laws and parts of laws in conflict with the provisions of this act are hereby repealed.

Was adopted.

Yeas, 26; nays, 2.

Yeas:

Messrs:

Barbour	Hayes	Miller	Spragins
Bayles	Heacock	Moody	Strother
Doster	Horton	McWhorter	Teasley
Forrester	Jones	Overton	Thomas
Gardner	Lowe	Reid	White
Glenn	Lusk	Reynolds	Wimberly
Gunn	Merritt		

—26.

Nays: Messrs. Hamburger and Hamner—2.

And said bill, as thus amended, was read a third time, at length, and passed.

Yeas, 26; nays, 3.

Yeas:

Messrs:

Barbour	Hayes	Merritt	Reynolds
Doster	Heacock	Miller	Spragins
Forrester	Horton	Moody	Strother
Gardner	Jones	McWhorter	White
Glenn	Leith	Overton	Wilson
Gunn	Lowe	Reid	Wimberly
Hamburger	Lusk		

—26.

Nays: Messrs. Bayles, Hamner and Teasley—3.

The bill:

S. 541. To appropriate the sum of fifty thousand dollars to defray the expenses incurred and to be incurred in connection with the railroad rate litigation now pending, or which may hereafter be instituted between the various railroads of Alabama and the railroad commission.

Was taken up.

Mr. Moody offered the following amendment, to-wit:

Amend the bill by substituting \$30,000.00 where the words or figures \$50,000.00 appear in the bill.

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Mr. Miller moved to lay Mr. Moody's amendment on the table, which was carried.

Yeas, 24; nays, 10.

Yeas:

Messrs:

Doster	Hinson	Miller	Spragins
Gardner	Horton	McWhorter	Strother
Gunn	Leith	Overton	Thomas
Hamburger	Lowe	Reese	White
Hamner	Lusk	Reid	Wilson
Hayes	Merritt	Reynolds	Wimberly

—24.

Nays:

Messrs:

Barbour	Forrester	Jones	Moody
Bayles	Hamburger	King	Teasley
Blackmon	Heacock		

—10.

Mr. Thomas offered the following amendment, to-wit:

Amend by adding immediately after the last word in the bill the following words, to-wit: "Provided, that no part of said funds shall be used in the payment of lawyers' fees for representing the State in said litigation,"—the payment of lawyers' fees to be provided for in a subsequent Legislature after the services have been performed.

Which, on motion of Mr. Miller, was laid on the table.

Yeas, 24; nays, 9.

Yeas:

Messrs:

Doster	Hayes	Lusk	Reynolds
Gardner	Heacock	Merritt	Spragins
Glenn	Hinson	Miller	Strother
Gunn	Horton	McWhorter	White
Hamburger	Leith	Overton	Wilson
Hamner	Lowe	Reid	Wimberly

—24.

Nays:

Messrs:

Barbour	Jones	Moody	Teasley
Blackmon	King	Reese	Thomas
Forrester			

—9.

And the bill was read a third time, at length, and passed.

Yeas, 28; nays, 4.

Yeas:

Messrs:

Barbour	Hamner	Lusk	Reid
Bayles	Hayes	Merritt	Reynolds
Doster	Heacock	Miller	Spragins
Gardner	Hinson	Moody	Strother
Glenn	Horton	McWhorter	Thomas
Gunn	Leith	Overton	Wilson
Hamburger	Lowe	Reese	Wimberly

—28.

Nays:

Messrs:

Blackmen	Jones	King	Teasley
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—4.

JOINT CONVENTION FOR ELECTION OF UNITED STATES SENATOR.

The hour of 12 o'clock meridian having arrived, when, in pursuance of the House joint resolution heretofore adopted, the Senate should convene with the House in joint convention in the Hall of the House of Representatives, for the purpose of ascertaining the result of the balloting on yesterday for a Senator to represent the State of Alabama in the Congress of the United States to fill the vacancy caused by the death of the late Senator John Tyler Morgan, whose term expires on the 4 day of March, 1913, and in case no election had been made, to proceed with such election, the Senate met with the House in the Hall of the House of Representatives.

The joint convention was called to order by the President of the Senate, who directed the secretary of the Senate to call the roll of the Senate, whereupon the following Senators answered to their names, being a majority of the Senate of Alabama, viz.:

Messrs:

Barbour	Hamner	Lusk	Reynolds
Boyles	Hayes	Merritt	Spragins
Blackmon	Heacock	Miller	Strother
Doster	Hinson	Moody	Teasley
Forrester	Horton	McWhorter	Thomas
Gardner	Jones	Overton	White
Glenn	King	Reese	Wilson
Gunn	Leith	Reid	Wimberly
Hamburger	Lowe		

—34.

The Speaker of the House then directed the clerk of the House to call the roll of the House of Representatives, whereupon the following Representatives answered to their names, being a majority of the House of Representatives of Alabama, to-wit:

Messrs:—

Speaker	Burney	Gunter
Alford	Cannon	Haley
Altman	Carmichael (Clay)	Henley
Armstrong	Coleman (Lowndes)	Hoffman
Arnold	Coleman (Marshall)	Jenkins
Arrington	Cooper	John
Avery	Cranford	Johnson
Ballard (Autauga)	Crum	Jones
Ballard (Pike)	Doyle (Marengo)	Killen
Baltzell	Dudley	King
Barton	Edwards	Kirby
Benness	Elrod	Kornegay
Benson	Foster	Lacy (Dallas)
Bloch	Fuller	Lacy (Walker)
Brown	Glover	Lancaster
Bulger	Goodwyn	Lawson

Lee (Barbour)	Oliver	Sanford
Lee (Etowah)	Parker	Sherrod
Lee (Houston)	Pearson	Smith (Elmore)
Lindsey	Peete	Smith (Etowah)
Lovelady	Pitts (Dallas)	Smith (Franklin)
Lyons	Pitts (Perry)	Smith (Lee)
Malone	Powell (Bullock)	Tunstall
Maner	Powell (Covington)	Turner
Mastin	Pratt	Vann
Mitchell	Price	Weaver
Moore	Ragsdale	White (Lamar)
McCrory	Rainer	White (Perry)
McDuffie	Ratray	Williams
McMillan	Rushton	Woolf
Norville	Sample	

The secretary of the Senate, then proceeded to read the journal of the Senate of yesterday, from which it appeared that John Hollis Bankhead, of Fayette, received 29 votes for Senator to represent the State of Alabama in the Congress of the United States for the unexpired term of the late Senator John Tyler Morgan.

The clerk of the House of Representatives then read the journal of the House of Representatives of yesterday, from which it appeared that John Hollis Bankhead, of Fayette, received 89 votes for Senator to represent the State of Alabama in the Congress of the United States for the unexpired term of the late Senator John Tyler Morgan.

The President of the Senate then announced that John Hollis Bankhead, of Fayette, having received a majority of all the votes cast in each House of the Legislature of Alabama on yesterday, for Senator to represent the State of Alabama in the Congress of the United States to fill the vacancy caused by the death of the late Senator John Tyler Morgan, whose term expires on the 4th day of March, 1913, he declared him to be duly and constitutionally elected a Senator from the State of Alabama for said unexpired term as prescribed by law.

The President of the Senate then declared that the purpose of the joint convention of the two Houses having been accomplished the joint convention was dissolved.

The Senate then returned to its chamber and resumed the consideration of the regular order.

BILLS ON THIRD READING.

The bill:

H. 365. To classify the public schools of Alabama and to name the branches of study to be taught in the same.

Was taken up.

Mr. Reynolds offered the following amendment, to-wit:

Add at the end of section four of the bill these words: "And provided that such secondary schools shall not be established without the consent of a majority of the district trustees of each of the districts affected."

Which was adopted.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Blackmon	Hayes	Moody	Strother
Forrester	Heacock	McWhorter	Thomas
Gardner	Horton	Overton	White
Glenn	Lowe	Reid	Wilson
Gunn	Lusk	Reynolds	Wimberly
Hamburger	Miller	Spragins	—23.

Mr. White offered the following amendment:

Amend by striking out the word "singing" and the word "drawing" where they occur in enumerating the branches to be taught, and adding to the section the following: "Provided, that singing and drawing may be taught whenever conditions justify the giving of instruction on such subjects."

Which was adopted.

Yeas, 14; nays, 4.

Yeas :

Messrs :

Forrester	Hamner	Lowe	Reid
Gardner	Hayes	Lusk	Reynolds
Glenn	King	McWhorter	Wilson
Hamburger	Leith		

—14.

Nays :

Messrs :

Barbour	Bayles	Doster	Strother
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—4.

Mr. Moody offered the following amendment- to wit:

Amend section 2 of the bill by adding at the close of said section these words: "But it shall not be obligatory upon the teachers to teach all these subjects at one time or in any one year."

Which was adopted.

Yeas, 19; nays, 5.

Yeas :

Messrs :

Blackmon	Hamburger	Leith	Reese
Forrester	Hamner	Lowe	Reynolds
Gardner	Hayes	Moody	Spragins
Glenn	Heacock	McWhorter	Wilson
Gunn	Jones	Overton	

—19.

Nays :

Messrs :

Barbour	Lusk	Reid	Strother
Bayles			

—5.

Mr. Reynolds offered the following amendment, to wit:

Amend the title so as to make it read as follows:

A bill to be entitled an act, to classify the public schools of Alabama, to name the branches of study to be taught in the same and to provide for a course of study.

Which was adopted.

Yeas, 19; nays, 4.

Yeas :

Messrs :

Doster	Hamner	Lusk	Reid
Gardner	Haves	Moody	Reynolds
Glenn	Heacock	McWhorter	Spragins
Gunn	Jones	Overton	Wilson
Hamburger	Lowe	Reese	

—19.

Nays :

Messrs :

Barbour	Bayles	Forrester	Leith
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—4.

Mr. Reynolds offered the following amendment, to-wit:

Provided, that the Superintendent of Education, with the aid of four teachers of well known standing, to be appointed by him, shall prepare and distribute among the teachers a course of study covering the various grades to be taught in the public schools of this State, and that it shall be mandatory upon teachers and school officials to use the course of study as provided.

Mr. Strother moved to lay the bill and amendments on the table, which was lost.

Yeas, 10; nays, 17.

Yeas :

Messrs :

Barbour	Hamner	Lusk	Strother
Forrester	Leith	Spragins	White
Glenn	Lowe		

—10.

Nays :

Messrs :

Blackmon	Heacock	Moody	Reid
Doster	Jones	McWhorter	Reynolds
Gunn	Merritt	Overton	Thomas
Hamburger	Miller	Reese	Wilson
Hayes			

—17.

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On motion of Mr. Goodwyn, Mr. Reynolds' amendment was laid on the table.

And the bill, as thus amended, was read a third time, at length, and lost.

Yeas, 12; nays, 14.

Yeas:

Messrs:

Blackmon	Hamburger	Moody	Reid
Gardner	Hayes	McWhorter	Reynolds
Gunn	Heacock	Reese	Thomas

—12.

Yeas:

Messrs:

Barbour	Hamner	Lowc	Strother
Bayles	Jones	Lusk	White
Forrester	King	Spragins	Wilson
Glenn	Leith		

—14.

RESOLUTION.

Mr. Gardner offered the following resolution, which was adopted:

S. J. R. 67. Resolved by the Senate, the House of Representatives concurring, that when the Legislature adjourns on July 18th it be to meet on Monday, July 22nd.

RECESS.

The hour of one o'clock p. m. having arrived, the Senate took a recess until 3 o'clock this afternoon.

AFTERNOON SESSION.

July 17, 1907.

The Senate met pursuant to adjournment.

ROLL CALL.

On a call of the roll, a quorum of the Senate was present.

INDEFINITE POSTPONEMENT OF BILLS.

On motion of Mr. Miller:

S. 345. To amend sections one (1) and two (2) of an act entitled an act to confer additional rights and powers including the right to acquire by purchase or by condemnation lands and easements upon corporations ~~organized under the general laws or heretofore under a~~ special act of the General Assembly of the State of Alabama, and upon corporations organized under the laws of any other State of the United States, and which corporations have complied with the laws of Alabama in reference to foreign corporations and which have the right by their charter to manufacture, supply and sell power produced by water as a motive force, approved October 1st, 1903; and to add thereto sections eight and a half (8 1-2) and nine and a half (9 1-2).

Was indefinitely postponed.

On motion of Mr. Reid, Senate bill:

S. 370. To authorize the commissioners court of Conecuh county to divide said county into road precincts and to appoint road overseers to have supervision of the public roads in said county, and to direct and prescribe the duties of said overseers and the duties of road apportioners in said county, and to provide for and define the duties of said overseers and apportioners and to authorize the commissioners court of Conecuh county to purchase for said county the necessary teams, tools, road machines, implements and plows to be used for constructing, repairing working and improving the public roads in said county and to provide for the construction and improvement of the public roads of Conecuh county and to prescribe who shall work on the public roads in Conecuh county and to provide for a road tax in lieu of work on the public roads of Conecuh county and to provide for the appropriation of funds by the commissioners court of Conecuh county, for the construction, repairing, working and improving the public roads in said Conecuh county, to prevent the obstruction of and damage to the public roads of Conecuh county and to pre-

scribe punishment for obstructing or damaging the public roads in Conecuh county.

Was indefinitely postponed.

RESOLUTIONS.

Mr. Reynolds offered the following resolution, which was adopted:

Resolved, that Senate bill No. 321, amending section 3700 of the Code of 1896, be made a special order for the next legislative day at ten o'clock.

Mr. Leith offered the following resolution, which was referred to the committee on Rules:

Motion is hereby made to set Senate bill 547 and Senate bill 507 down for a special and continuing order for the next legislative day at 11:30 a. m.

REPORT OF THE COMMITTEE ON ENROLLED BILLS.

Mr. President:

The committee on Enrolled Bills have examined the following Senate bills:

S. 72. To appropriate all moneys received by the city of Attalla, in this State, as saloon license, to school purposes and to the payment of the interest on the bonded debt of the said city.

S. 223. Making it a misdemeanor to sell, give away, or otherwise dispose of, in Mobile county, within three miles of section nine, township two, north, range one, east, sprituous, vinous or malt liquors or intoxicating bitters or beverages.

And find same to be correctly enrolled.

Frank S. Moody, Chairman.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read at length by the secretary, signed the above Senate bills, the titles of which are set out in the foregoing

report from the committee on Enrolled Bills, the reading at length of said bills having been dispensed with, by a two-thirds vote of a quorum of the Senate present.

MESSAGE FROM THE HOUSE.

Mr. President:

~~The Speaker of the House having signed the follow-~~
ing House bills your signature thereto is requested:

H. 828. An act to alter and re-arrange the boundaries of the town of Newberne, in Hale county, Alabama.

H. 829. An act to further regulate the fine and forfeiture fund of Hale county, Alabama.

H. 384. An act to repeal an act entitled "An act to incorporate the Trullan Club," approved March 2, 1901.

H. 607. An act to prevent the sale of intoxicating liquors within certain limits in the corporate limits of the city of Talladega, and to punish violations of the same.

H. 827. An act for the relief of Mrs. Leanna J. Humble, a resident of DeKalb county, indigent widow of David Humble, who was a confederate soldier and a citizen of DeKalb county, Alabama, at the time of his death, making her a confederate pensioner under the act of the General Assembly of Alabama, approved the 10th day of February, 1899, and entitled "An act for the relief of needy confederate soldiers and sailors, resident citizens of Alabama, and their widows.

Cyrus B. Brown,
Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read at length by the secretary, signed the above House bills, the titles of which are set out in the foregoing House message, the reading at length of said bills having been dispensed with, by a two-thirds vote of a quorum of the Senate present.

REPORT FROM THE COMMITTEE ON ENGROSSED BILLS.

Mr. President:

The committee on Engrossed Bills report that they have examined the following Senate bills, 169, 491, 496, 497, 412, 411, 356, 488, 413, 414, 260, and compared them with the original bills respectively, and found them to be correctly engrossed.

Robt. E. Spragins, Chairman.

NOTICE.

I hereby give notice that I will make a motion on the next legislative day to take from the adverse calendar S. B. No. 189, and place the same on the calendar of the Senate.

This July 17, 1907.

Jno. W. Overton.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended, as therein shown, and as amended, has passed:

S. J. R. 67. Relative to adjournment of the two Houses from July 18th to July 22, 1907.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

The Senate concurred in the House amendment to Senate joint resolution No. 67, said amendment being as follows: That when the Legislature adjourns on July 17th it be to meet at the usual hour on Friday, July 19th.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bills:

H. 860. To authorize the board of mayor and aldermen of the city of Bridgeport in Jackson county, Ala-

bama, to permit school children living without the limits of said city, to attend the public schools, within said city upon such terms as said board may prescribe.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that application will be made to the present Legislature to pass an act authorizing the city of Bridgeport, Alabama, to release manufacturing establishments within said city from the payment of city taxes.

And, also, application will be made to the present Legislature to pass an act giving the board of mayor and aldermen of the city of Bridgeport, Alabama, authority to permit children living without the corporate limits of said city to attend the public schools within said city upon such terms as said board may prescribe.

J. L. Hackworth, City Att'y.

The State of Alabama, }
Jackson County. }

Before me, W. W. McCutchen, probate judge for said county, personally appeared L. E. Brown, the editor and proprietor of the Progressive Age, a newspaper published in said county, who, being duly sworn, deposes and says that the foregoing notice was published in said newspaper for the period of 4 weeks prior to the 1st day of Feb., 1907.

L. E. Brown.

Sworn to and subscribed before me this 23rd day of Feb., 1907.

W. W. McCutchen,
Probate Judge.

H. 940. To provide for the publication and distribution of the Code of Alabama and the acts of the Legislature.

And sends the same to the Senate.

H. 883. To authorize the board of county commissioners of Tuscaloosa county to contribute to the maintenance of a wagon yard or lot in the city of Tuscaloosa,

and to pay from the general fund of the county such sum or sums of money as said board may deem necessary or proper for such purpose.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Tuscaloosa County. }

Before me, B. B. Cooper, clerk of the circuit court in and for said State and county, personally appeared John Wills, who being duly sworn, deposes and says that he is the manager of the Tuscaloosa Times-Gazette, a newspaper published in said county, that the attached notice was published in the said The Tuscaloosa Times-Gazette, once a week for four consecutive weeks, the first publication being made January 29th, 1907, and the last publication being made February 19, 1907.

John Wills,
Mgr. Times-Gazette.

Notice is hereby given that application will be made to the Legislature of Alabama during the session of 1907 to enact into law a bill authorizing the board of county commissioners of Tuscaloosa county to contribute to the maintenance of a wagon yard or lot in the city of Tuscaloosa for the benefit of the public, and to pay from the general fund of the county such sum or sums of money as said commissioners may deem necessary or proper from time to time.

January 29th, 1907.

Sworn to and subscribed before me Feb. 19, 1907.

B. B. Cooper,
Clerk.

H. 884. To authorize the board of mayor and aldermen of the city of Tuscaloosa to maintain or to contribute to the maintenance of a wagon yard or lot in the city of Tuscaloosa, for the benefit of the public, and to prescribe rules for the government of same, and to pay out of the general fund of the city such sums of money as

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the said city board deems necessary for the maintenance, or part maintenance, of said wagon yard or lot.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Tuscaloosa County. }

~~Before me, B. B. Cooper, clerk of the circuit court in~~
and for said State and county, personally appeared John Wills, who being duly sworn, deposes and says that he is the manager of The Tuscaloosa Times-Gazette, a newspaper published in said county, that the attached notice was published in the said The Tuscaloosa Times-Gazette, once a week for four consecutive weeks, the first publication being made January 20, 1907, and the last publication being made February 19, 1907.

John Wills,
Mgr. Times-Gazette.

Notice is hereby given that application will be made to the Legislature of Alabama during the session of 1907 to enact into law a bill authorizing the board of mayor and aldermen of the city of Tuscaloosa, Alabama, to maintain or contribute to the maintenance of a wagon yard or lot in the city of Tuscaloosa for the benefit of the public, and prescribe rules for the government of same, and to pay out of the general fund of the city such sums of money as the said city board deems necessary for the maintenance, or part maintenance of said wagon yard or lot.

January 29th, 1907.

Sworn to and subscribed before me Feb. 19, 1907.

B. B. Cooper,
Clerk.

H. 927. To further provide for the further construction, maintenance and repair of the public roads in Jackson county.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

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NOTICE.

Notice is hereby given that application will be made to the Legislature of Alabama when it convenes in July for the passage of the following bill:

A bill to be entitled an act to further provide for the further construction, maintenance and repair of public roads in Jackson county.

Section 1. Be it enacted by the Legislature of Alabama:

That all road funds now in the county treasury, not otherwise appropriated, and all funds hereafter collected from wagon licenses and road taxes, shall be disbursed under the orders of the court of county commissioners, for the following purposes and in the following order:

1st. Pike roads repairs—Putting in full and complete repair of all the present macadamized roads of the county and their future maintenance.

2nd. Pike road extension—Constructing additional pike roads and connecting all pikes into a continuous system.

3rd. General public road improvement.

Section 2. Be it further enacted, That the court of county commissioners be empowered and it is their duty to acquire by gift, purchase, or by condemnation proceedings under the general laws of the State, all stone quarries, chert beds, gravel beds, rights of way for hauling same and for pike or public road extension, as same shall be needed for all the purposes named in the foregoing section.

Section 3. Be it further enacted, That the putting in good repair of all existing pike roads and providing for their future maintenance shall be a first charge on the road fund of the county to be used in connection with such labor, teams and machinery as may be by law apportioned to such roads. As soon after the passage of this act as the road funds are sufficient therefor, the court of county commissioners are required to proceed to provide crushed stone at convenient places along all

stone pikes, where the present supply is exhausted, of sufficient quantities to put said roads in good repair and to maintain the same for not less than five years. With the crushed stone so provided, and with gravel and chert provided for roads accessible to same, the court of county commissioners shall proceed to put all the pikes in the county in good repair. In aid of such repairs ~~the court may provide by such rules and regulations~~ as it may prescribe for the use of the labor, teams, wagons and machinery, or either, apportioned to said pike road.

Section 4. Be it further enacted, That after providing for the repair and maintenance of the pike roads now in use and those in process of construction, the court of county commissioners is authorized to appropriate any portion of the road funds of the county, or of the general funds not otherwise appropriated to the purpose of pike road extension as defined in section one of this act. In the selection of locations for pike road extension from time to time the court shall have in view the ultimate connection of the pike roads into a continuous system, the importance of the proposed road to the public, and also the supplemental funds, in labor or money, contributed by persons and communities interested in such extension.

Section 5. Be it further enacted, That in prosecuting the work of pike road repair or pike road extension, the court of county commissioners shall have power to enter into all needful contracts, require bonds of contractors in such penalties, payable and conditioned as said court shall prescribe, purchase tools, machinery and supplies, employ labor, provide proper superintendence, and shall make provision for an accurate system of accounting, keeping of books, vouchers and pay-rolls, and generally to do whatever the court may deem best in the successful accomplishment of such work.

Section 6. Be it further enacted, That any surplus of the road fund after providing for pike road repair, and such pike road extension as the court may undertake, shall be applied together with any other funds available for the purpose of general public road improvement un-

der the supervision of the court and in such manner as may be considered to accomplish the best results. All persons who may be given the custody of any portion of such funds shall be required to give bond in double the amount of money received, payable to the judge of probate of the county, conditioned to faithfully disperse said funds according to law, and shall furnish his accounts and vouchers and make settlement with the court of county commissioners as the court shall require.

Section 7. Be it further enacted, That all road hands, or persons liable to road duty in said county, shall be liable to work six days during each year. Any such road hand, when warned, may commute his time by paying to the overseer at the rate of one dollar per day in money for the time so warned, and no wagon, team, horse, mule, or oxen shall be subject to work over three days during any year.

Section 8. Be it further enacted, That the road overseers shall disburse all funds received in commutation of the labor of hands, teams, wagons and machinery in procuring labor, materials and tools necessary for the proper improvement of their respective roads. They shall between the 1st and 5th days of February and August of each year make a sworn account of all funds received and disbursed during the last six months, as well as a report of the work done on their respective roads, and deliver same to their respective apportioners. The apportioners shall two weeks before the convening of the grand jury turn in said reports with their reports to the judge of probate. Said reports shall show the names of all road defaulters, and the number of days of such default. Said reports shall be kept on file in the office of the judge of probate and submitted to the inspection of the grand jury. Any overseer or apportioner who shall willfully fail to make such report shall be guilty of a misdemeanor and on conviction shall be fined not less than ten dollars. Any overseer or apportioner who makes a willfully and corruptly false report on oath shall be guilty of perjury, and any overseer who wilfully misappropriates any funds coming to his hands for road purposes shall be guilty of embezzlement.

Section 9. Be it further enacted, That any county commissioner who wilfully neglects or refuses to perform the duties required of him under this act, or who wilfully makes or aids in making any order for the appropriation of the road funds of the county, to an illegal purpose, shall be subject to impeachment and removal from office in the manner provided by law.

Section 10. Be it further enacted, That the general road law of Jackson county, entitled "An act to provide for the maintenance, improvement and protection of the public roads in Jackson county, Alabama, and to provide for the levy of a special road tax therefor," approved October 1, 1903, shall be and remain in full force and effect, except in so far as the provisions therein are in conflict with the provisions of this act.

The State of Alabama, }
County of Montgomery. }

Personally appeared before me, J. T. Cook, a notary public in and for said county, James Armstrong, who being by me first duly sworn deposes and says, that he is the publisher of The Citizen, a newspaper published in Scottsboro, Jackson county, Alabama, and that the foregoing bill was published in said newspaper for four consecutive weeks before the making of this affidavit.

James Armstrong.

Subscribed and sworn to before me, this the 9th day of July, 1907.

J. T. Cook,
Notary Public.

H. 656. To create and establish the Marengo law and equity court for Marengo county.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

To all whom it may concern:

Notice is hereby given that at the next ensuing session of the Legislature of Alabama a bill will be introduced the substance of which is as follows:

To establish for the county of Marengo an inferior court of law and equity, which shall be a court of record; to prescribe and define the jurisdiction and powers of said court, and to provide rules of pleading, procedure and practice therefor; to provide for a judge, solicitor, and other officers for said court; to provide for the compensation of the judge, solicitor and other officers of said court, and how and out of what funds the same shall be paid; to prescribe and define the authority, powers and duties of the judge, solicitor and other officers of said court; to prescribe the terms of said court, and when they shall begin and when end; to provide for separate divisions of said court, and to designate and specify what territory of Marengo county shall be embraced in each division thereof; to prescribe the times when and places where court shall be held in each division of said court; to prescribe and provide the venue of actions in said court; to provide for the holding of jury terms of said court, and to prescribe when and where said jury terms shall be held; to prescribe the qualifications and exemptions of jurors in said court, and what persons shall be liable to jury duty therein, their compensation and how and out of what funds they shall be paid; to provide for a jury commission to prepare and draw the juries for said court, and to prescribe and define the duties of said jury commission, and the manner in which the juries for said court shall be drawn, impaneled and summoned; to prescribe and provide at what places the records, books, papers and files of said court shall be kept in each division of said court; to provide for appeals to said court from municipal, justices of the peace, and other inferior courts of Marengo county and to provide for the binding over to said court of defendants in criminal cases where the municipal, justices of the peace or other inferior court has not jurisdiction to try the case; to provide for the mode, time and place of sales of real property made un-

der processes issued out of said court; to provide for the trial of persons charged with misdemeanors upon information, the manner in which such trials shall be conducted, and the procedure and practice in such cases and for trial by jury upon demand by the defendant in such cases; to prescribe and fix the fees of the officers and witnesses in said court, the way in which the same ~~shall be held and the funds out of which they shall be~~ paid; to provide for a change of venue to another than Marengo county from said court; to authorize the transfer of cases from the circuit and chancery courts of Marengo county into said court, and to prescribe the manner in which said transfers shall be made; to provide for a court tax of five dollars to be taxed up as a part of the costs in civil cases, both at law and in equity, and in all criminal cases where conviction is had, and to prescribe the manner in which the same shall be collected and disposed of; to provide for the establishment of a separate fine and forfeiture fund in the treasury of Marengo county, to prescribe the manner in which the same shall be kept, what funds shall be placed to the credit of said fund and the disposition to be made thereof; to prescribe in what way fines and forfeitures accruing in said court shall be paid, and how and in what way the same shall be disposed of; to provide for the collection of Marengo county's portion of the hire of county convicts sentenced by said court, and for the disposition of the same when collected; to provide for the payment of all costs and expenses of said court and to prescribe how and out of what funds the same shall be paid; to provide for the trial of all civil cases by the said court without a jury unless a jury trial be demanded by either party as provided for in said bill; to provide that when court is held at a place other than the court house, as provided for in said bill, the people of the division in which said court is to be held, must furnish without cost or expense to Marengo county, suitable and necessary buildings, offices and jail for the

proper transaction of the business of the court; and to regulate the convening of grand and petit juries in said court.

Edw. J. Gilder,
Benj. F. Elmore,
W. C. Harrison, Jr.
J. B. Hearin,
B. G. Wilson,
L. R. Wilson,
C. K. Abrahams,
George Pegram,
B. F. Gilder,
E. E. Taylor,
Henry McDaniel,
W. F. Herbert.

The State of Alabama, }
Marengo County. }

Before me, Henry McDaniel, a notary public in and for said county and State, this day personally appeared H. A. Norton, who, being first by me duly sworn to speak the truth, the whole truth, and nothing but the truth, deposes and says, that he is publisher of The Demopolis Times, a newspaper published in Marengo county, Alabama, and which is a weekly newspaper published each week in said county and State; that the notice, a copy of which is hereto attached, was inserted in said The Demopolis Times, and has been published and has appeared regularly in four weekly issues of said The Demopolis Times.

H. A. Norton.

Sworn to and subscribed before me on this the 2nd day of February, 1907. Henry McDaniel,
Notary Public, in and for Marengo County, Alabama.

H. 1030. To amend sections two, twenty-seven and thirty-three of an act entitled an act to establish the Walker county law and equity court, approved December 5th, 1900, and to amend section one of an act approved February the fifteenth, 1901, entitled an act to amend sections eight, nine and twenty-six of an act en-

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titled an act to establish the Walker county law and equity court, approved December 5th, 1900.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

There will be introduced at the adjourned session of the Legislature of Alabama, which convenes July 9th, 1907, a bill substantially as follows:

A BILL

To be entitled "An act to amend sections two, twenty-seven and thirty-three of an act entitled an act to establish the Walker county law and equity court, approved December 5th, 1900, and to amend section one of an act approved February the 15th, 1901, entitled an act to amend sections eight, nine and twenty-six of an act entitled an act to establish the Walker county law and equity court, approved December 5th, 1900."

Section 1. Be it enacted by the Legislature of Alabama, That section two of an act entitled an act to establish the Walker county law and equity court be amended so as to read as follows, to-wit:

Section 2. Be it further enacted, That a judge for said court shall be elected by the Legislature of Alabama in a joint session within fifteen days after the approval of this act, whose term of service shall continue until November the 3rd, 1908. At the general election in November, 1908, and every six years thereafter, the judge of said Walker county law and equity court shall be elected by the qualified voters of the county of Walker, whose term of service shall be six years from the 1st day of December, next, after said election and until his successor qualifies. The judge so elected by the Legislature and by the people as herein provided, shall take the oath of office required by law to be taken by the judge of the circuit court. The judge of said court at the time of his election shall have been a citizen of the State of Ala-

bama and the county of Walker for a period of two years next preceding his election, over the age of thirty years, and shall be learned in the law, and during his continuance in office as such judge shall reside in the county of Walker. The judge of said court shall take the oath of office required by law to be taken by judges of the circuit courts before entering upon his duties pertaining to said office, and may be impeached or removed from office, for the same causes by the same tribunals and in the same manner as is provided by law for the impeachment or removal from office of judges of circuit courts. such judges shall have and exercise all the jurisdiction and powers which are now, or may hereafter be, lawfully exercised by judges of the circuit court, chancellors and judges of the county courts of this State, including authority to issue writs of habeas corpus, or injunction, prohibition, ne exeat, and all other writs which are now, or may hereafter be lawfully issued by judges of the circuit court, chancellors, and judges of county courts of this State. Vacancies in the office of judge shall be filled by the governor, and any person appointed to fill an unexpired term shall continue in office until his successor is elected and qualified.

Section 2. Be it further enacted, That section twenty-seven of said act be amended so as to read as follows, to-wit:

Section 27. Be it further enacted, That the judge of said court herein established shall receive as a salary the same amount per annum, as the other circuit judges of the State of Alabama, and paid at the same time and in the same manner as the said other judges.

Section 3. Be it further enacted, That section thirty-three of said act be amended so as to read as follows, to-wit:

Section 33. Be it further enacted, That in all civil cases commenced in said court by summons and complaint, or by attachment upon the appearance of the defendants in said cause, the same shall be set down for settling the pleadings and after pleadings have been settled, the same must be tried upon the issues therein

formed. Provided, however, that the judge of said court may allow amendments to the complaint or other pleadings, after the same have been settled, upon such terms as in the discretion of the court may seem just in the premises, and upon the allowance of such amendment, the other party shall, as a matter of right, be entitled to a continuance.

Section 4. Be it further enacted, That section one of an act approved February the 15th, 1901, entitled an act to amend sections eight, nine and twenty-six of an act to establish the Walker county law and equity court, approved December the 5th, 1900, be amended so as to read as follows:

Section 1. Be it enacted by the General Assembly of Alabama, That section eight of an act entitled an act to amend sections eight, nine and twenty-six of an act entitled an act to establish the Walker county law and equity court, approved December the 5th, 1900, be amended so as to read as follows:

Section 8. Be it further enacted, That in the trial of every case, both civil and criminal, on complaint or indictment, of which this court has jurisdiction, each and every person or party to said cause shall be entitled to a trial by jury. Provided, that in misdemeanor cases said court shall try both the law and the facts, except when a trial by jury is demanded by defendant, in writing and filed with the clerk of said court within twenty days after he is arrested or taken into custody.

The State of Alabama, }
Walker County. }

Before me, T. L. Sowell, judge of the Walker county law and equity court, in and for said State and county, personally appeared James A. Gunter, who being duly sworn, on oath says that he is the publisher of the "Mountain Eagle", a newspaper published in Jasper, Walker county, Alabama, and that the attached notice was published in said "Mountain Eagle" for four consecutive weeks commencing on the 5th day of June and ending on the 3rd day of July, 1907.

James R. Gunter.

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Sworn to and subscribed before me this 5th day of
July, 1907.

T. L. Sowell,

Judge of Walker Co. Law and Equity Court.

H. 939. To adopt a code of laws for the State of
Alabama.

And sends the same to the Senate.

H. 1000. To repeal an act entitled "an act to regulate
the payment of claims against the fine and forfeiture
fund of Morgan county, Alabama, approved February
15th, 1897.

And sends the same to the Senate, with notice and
proof attached and herewith exhibited as follows:

The State of Alabama, }
Morgan County. }

Before me, J. C. Hogan, a justice of the peace in and
for said county and in said State, this day personally
appeared J. A. West, known to me to be the editor and
manager of the Hartselle Enquirer, a weekly newspaper,
published in Hartselle, Morgan county, Alabama, who
being by me duly sworn, deposes and says:

That he is the editor and manager of the Hartselle
Enquirer, a weekly newspaper, published in Hartselle,
Morgan county, Alabama, and that a notice was publish-
ed, without cost to the State of Alabama, once a week
for four consecutive weeks in said newspaper before the
making of this affidavit, which notice was in words and
figures as follows, to-wit:

NOTICE.

Notice is hereby given, that at the adjourned session
of the present legislature of Alabama which convenes
July 9th, 1907, a bill will be introduced, which will re-
peal the act entitled, an act to regulate the payment of
claims against the fine and forfeiture fund of Morgan
county, Alabama, approved February 15th, 1897. Acts
1896-7, page 969.

(Signed) Jno. R. Sample."

That said notice was published in said paper in the issues of May 30th, June 6th, 13th, and 20th, 1907.

J. A. West.

Subscribed and sworn to before me this the 8th day of July, 1907.

J. C. Hogan,
Justice of the Peace.

H. 963. To authorize the Lee county court of law and equity to revive and enforce judgments, decrees, orders and proceedings entered prior to July 1st, 1907, in the circuit, chancery and county courts of Lee county.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Lee County. }

Before me, Joe H. Smith, a notary public in and for said county and State, personally appeared W. T. Wear, who being duly sworn, deposes and says that he is one of the editors of the Opelika Daily News, a daily newspaper published in Opelika, in said county, and that the following notice, to-wit:

NOTICE.

To whom it may concern:

Notice is hereby given that a bill will be introduced and its enactment promoted by all proper means at the present Legislature of Alabama, after its reassembling after the present recess, the substance of which bill is to authorize the Lee county court of law and equity to revive all judgments, decrees, orders and proceedings entered prior to July 1st, 1907, in the circuit court of Lee county, Alabama, the chancery court of Lee county, Alabama, and the county court of Lee county, Alabama, and to authorize and empower said Lee county court of law and equity to issue such writs of execution or other writs as may be necessary to give full force and effect to such judgments, decrees, orders and proceedings.

Albert E. Barnett,
R. C. Smith.

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Was published in said paper for four consecutive weeks, to-wit: in issue of June 8th, 1907, June 15th, 1907, June 22nd, 1907, and June 29th, 1907.

W. T. Wear.

Subscribed and sworn to before me this 3rd day of July, 1907.

Joe H. Smith,

Notary Public, Lee County, Alabama.

H. 1032. To provide for an official short-hand reporter for the thirteenth judicial circuit, to prescribe the qualifications, term of office and duties of such reporter and to fix his compensation and fees.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Washington County. }

Personally appeared before me, S. Earl McGlathery, a notary public, in and for the State and county aforesaid, W. A. Moseley, who on oath deposes and says that he is the publisher of the Washington News, that the Washington News is a newspaper published regularly in the county of Washington, Alabama; that the subjoined notice was regularly published in said newspaper once each week for four consecutive weeks as required by section 106 of the constitution; that is to say:

NOTICE.

Is hereby given of the intention to apply to the Legislature for the passage of a local or special law, the substance of such law being to provide for an official short-hand reporter for the thirteenth judicial circuit, to prescribe the qualifications, oath and term of office of such reporter; to provide for attendance at the various terms of the circuit court in said circuit and the taking of official stenographic notes of the oral proceedings in cases tried therein, and the furnishing of a certified typewritten transcript of such stenographic notes to any party applying for the same upon the payment of legal fees;

to provide for the preservation of the stenographic notes and to defray the expenses of attendance and as compensation, a monthly salary, to be paid as follows: Thirty-five dollars per month by the county of Washington; thirty-five dollars per month by the county of Baldwin; and one hundred and twenty-five dollars per month by the county of Mobile, the same to be paid by the counties on the first days of each month from and after the approval of the law.

W. A. Mosley.

Subscribed and sworn to before me this the 1st day of July, 1907. S. Earle McGlatherty,
Notary Public, Washington County, Ala.

NOTICE.

Is hereby given of the intention to apply to the Legislature for the passage of a local or special law, the substance of such law being to provide for an official shorthand reporter for the thirteenth judicial circuit, to prescribe the qualifications, oath and term of office of such reporter; to provide for attendance at the various terms of the circuit court in said circuit and the taking of official stenographic notes of the oral proceedings in cases tried therein, and the furnishing of a certified typewritten transcript of such stenographic notes to any party applying for the same upon the payment of legal fees; to provide for the preservation of the stenographic notes and to defray the expenses of attendance and as compensation, a monthly salary, to be paid as follows: Thirty-five dollars per month by the county of Washington; thirty-five dollars per month by the county of Baldwin; and one hundred and twenty-five dollars per month by the county of Mobile, the same to be paid by the counties on the first days of each month from and after the approval of the law.

The State of Alabama, }
Baldwin County. }

Personally appeared before me, Leslie Hall, a notary public in and for the State and county aforesaid, W. C. Dinwiddie, who on oath deposes and says that he is the

publisher of the Baldwin Times; that said Baldwin Times is a newspaper, regularly published in Baldwin county, Alabama; that the subjoined notice was published in said newspaper once each week for four consecutive weeks, as required by section 106 of the constitution, that is to say, May 16, 1907, May 23, 1907, May 30, 1907 and June 6, 1907. W. C. Dinwiddie.

Subscribed and sworn to before me this 3rd day of July A. D., 1907. Leslie Hall,
Notary Public, Baldwin County, Ala.

H. 1079. To impose a tax of one dollar a year on each dog in the county of Montgomery, State of Alabama, over four months of age, and to provide for the collection of such tax, and to provide that all livestock killed or injured and all damages done thereto shall be paid for out of the dog tax fund, and to provide that the surplus left in the dog tax fund on the first day of March each year shall be paid into the public school funds of said county.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that the Legislature of Alabama, to convene on July 9th, 1907, will be requested to enact for Montgomery county a law placing a license tax of not exceeding one dollar per year upon each dog in the county of Montgomery, to be paid by the owner of the dog, and to provide for the distribution of the money derived from such tax, and a bill will be introduced in the said Legislature for that purpose.

The State of Alabama, }
County of Montgomery. }

Personally appeared before me, Daisy Jones, a notary public in and for said county and State, F. F. Rieg, manager of The State Publishing Company, who says:

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that the notice hereto attached was published in The Daily State on June 8, June 15, and June 22, 1907. making three insertions as required by law.

F. F. Rieg.

Sworn to and subscribed before me this 9th day of July, 1907.

Daisy Jones,

~~Montgomery, Ala., July, —, 1907. Notary Public.~~

By Mr. Glover, (with notice and proof) :

H. 935. To amend section twenty-two of an act entitled, "an act to establish the city court of Bessemer."

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that the following bill will be introduced at the present session of the legislature of Alabama:

To amend section 22 of an act entitled, "an act to establish the city court of Bessemer" for the purpose of increasing the salary of judge of said court from \$1,800.00 per annum to an amount not to exceed \$4,000 per annum to be paid from the treasury of Jefferson county, Alabama, or as the judges of the city court of Birmingham or the judges of any court that may be established in lieu of the city court of Birmingham are paid.

This Dec. 28th, 1906.

The State of Alabama, }
Jefferson County. }

Personally appeared before me Pinkney Scott, notary public in and for said county and State aforesaid, Wm. H. H. Judson, who being duly sworn deposeth and says that he is the editor and publisher of the newspaper known as **The Bessemer (Alabama) Weekly**, which newspaper is published in the city of Bessemer, Jefferson county, Alabama, and that prior to making this affidavit the hereto attached notice was published in said newspaper without cost to the State once each week for

four full and consecutive weeks, making said notice receive four full consecutive weeks prior to making this affidavit and which notice gave notice of an intention to apply for an amendment of section 22 of the act creating the city court of Bessemer and to raise the salary of the judge of said city court of Bessemer.

Wm. H. H. Judson.

Sworn to and subscribed before me this the 7th day of March, 1907.

Pinkney Scott, Notary Public.

H. 925. To provide for the working of the public roads of Hale county, Alabama, for levying a tax for same and how same shall be expended.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

PROPOSED ROAD LAW.

The State of Alabama, }
Hale County. }

NOTICE.

Notice is hereby given that at the adjourned session of the Legislature to convene on July 9th, 1907, a bill will be introduced in substance as follows:

A bill to be entitled an act to provide for the working of the public roads of Hale county, Alabama; for levying a tax for same, and how same shall be expended.

Sec. 1. Be it enacted by the Legislature of Alabama, That the court of county commissioners of Hale county be and the same are hereby authorized, empowered and directed to levy at its regular meeting in February, 1908, and at its regular meeting in February of each year thereafter, a special tax of not less than one nor more than two and a half dollars on each one thousand dollars of taxable property in said county, which said tax together with the taxes to be levied for the use of the county for general purposes, shall not exceed one-half

of one per cent. Said tax shall be collected as other taxes in said county. Said tax shall be kept separate and apart from the other taxes in said county and shall be known as the public road fund of said county and shall be used in working the public roads of said county as hereinafter provided.

Sec. 2. Be it further enacted, That the tax collector of said county shall collect said road tax in the same manner as the other taxes for said county. He shall keep said road tax collected by him separate from all other taxes collected by him, and shall pay over to the treasurer of said county the said road tax collected.

It shall be the duty of the treasurer of said county to keep the taxes so paid over to him separate and apart from all other taxes. The said tax collected for public roads shall be used exclusively upon and in working the public roads of said county, as soon as said road tax is collected and paid to the treasurer of said county, it shall be the duty of the treasurer to report to the commissioners' court of said county the amount of money collected and in his hands to the credit of the road fund, which money shall be under the direct control and supervision of the commissioners' court of said county, and be used on the public roads of said county. The said commissioners' court shall divide and distribute said road fund to and between the several road precincts in said county in a fair and equitable manner, and shall notify the road apportioners, road superintendent and the county treasurer of the amount distributed or allotted to each road precinct separate and apart and for the benefit and use of the respective road precincts. It shall be the duty of said road apportioners, or road superintendent, to expend the amount of money, or so much as may be necessary, standing to the credit of the respective road precincts, upon and in working the public roads in said road precinct in such manner and in such ways as will be to the best interest of said public roads in said road precinct; said road apportioners or road superintendent shall keep an accurate and itemized account of all the expenditures made on said public roads, and shall file on the first days of April, July, October

and January of each year, and oftener if necessary, with the court of county commissioners of said county, an itemized account of all expenditures, and a receipt or voucher for each item thereof. And thereupon the probate judge shall issue his warrant on said treasurer for the amount of said expenditures on said roads, and said treasurer shall pay the same out of the money standing to the credit of said road precinct. The treasurer of said county shall keep said money to the credit of the respective road precincts.

Sec. 3. Be it further enacted, That all persons now required by law to work the public roads of said county shall work on said roads ten days, but any person liable to work said roads may in lieu of working said roads as required by law, pay the commutation tax hereinafter prescribed to the apportioner of his road precinct, designated to receive the same, and who shall give him a receipt for the same, which shall exempt the said person so paying the same from road duty for the year in which he paid the same. All commutation taxes paid to the said apportioner shall be used on the road from which said tax was collected.

Sec. 3 1-2. That the road overseers shall keep in a book to be kept for that purpose, and furnished by the commissioners' court, a list of all persons liable to road duty on his road and the day or days on which each person works on said roads, stating whether an entire day or fraction thereof.

Sec. 4. Be it further enacted, That the commissioners' court shall, by an order entered on their minutes at the February term, 1908, and each year thereafter, prescribe the amount of the commutation tax hereinbefore mentioned, and shall fix such amount as will enable the apportioner, or other authorized person, to employ a substitute for each person paying said commutation tax for ten days, provided such amount shall not be less than five nor more than ten dollars.

Sec. 5. Be it further enacted, That the overseers and apportioners of the public roads in said county shall be appointed, and they shall perform the same duties as are now required by law, provided that the court of county

commissioners shall designate one of the apportioners in each beat who shall collect or receive the commutation tax as hereinbefore provided. Said apportioners so designated shall give bond with good security in such an amount as said court may require, said bond to be made payable to said county. The court of county commissioners shall furnish said apportioners so designated a sufficient number of stub-receipts, bound and numbered consecutively, wherewith such apportioner shall receipt for all commutation taxes paid to him, and he shall keep in a book provided for that purpose an itemized account of all of said money disbursed by him; said commutation tax collected by him shall be expended, as above stated, on the road from which it was collected, by and under the direction of all the apportioners in said precinct, or road superintendent and shall file with said commissioners' court an itemized account showing how they expended said commutation tax. Said commissioners' court shall charge said apportioners designated to collect and receive said commutation tax with all stub-receipts received by him as the amount of the commutation tax as by it prescribed, and on settlement by said apportioner with said court, he shall be credited with all vouchers for expenditures of said money signed by all the apportioners or road superintendent in his precinct, and with all unused or mutilated receipts returned to said court, and with his compensation, which shall be five per cent. on the amount of all commutation tax collected by him.

Sec. 6. Be it further enacted, That overseers shall be paid not more than one dollar per day for each entire day's service while working on the public roads as provided by law; provided, that no overseer shall be paid more than ten dollars during any year.

Said overseer shall be paid by the apportioner of his precinct or by the road superintendent by an order on the probate judge of said county, stating the name of the overseer and for what said order was given. The probate judge shall draw his warrant on the treasurer of said county, and in favor of said overseer, stating

to what road precinct it is to be charged, and said treasurer shall pay the same and charge same to the fund belonging to said road precinct.

Sec. 7. Be it further enacted, That the court of county commissioners of said county, at its regular meeting in August, 1907, and every two years thereafter, shall appoint a competent person as superintendent of public roads and bridges, at a salary not to exceed nine hundred dollars a year to be paid monthly out of the general fund of the county, by the warrant of the probate judge on the treasurer of said county. The court of county commissioners shall prescribe and fix the salary of said superintendent, shall prescribe his duties and shall provide that the overseers of the public roads shall work the roads under his orders and directions, and may provide that the road fund shall be expended by his authority and under his directions, and shall make a record of his duties by entering same on its minutes; and may change or alter or amend the said duties, or may prescribe additional duties. Said superintendent shall devote his entire time to the duties and work prescribed for him by said court of county commissioners relating to the public roads and bridges of said county.

Sec. 8. Be it further enacted, That any person liable to road duty in Hale county shall work on the public roads with such tools as the overseer may direct for ten days, unless he has paid the commutation tax prescribed herein. Any person who fails or refuses, to work the roads as required by law shall be guilty of a misdemeanor, and upon conviction shall be fined not less than twenty-five nor more than one hundred dollars, and may be sentenced to hard labor for the county for not less than three nor more than six months.

Sec. 9. Be it further enacted, That each overseer of public roads in said county shall keep a record of all commutation tax receipts presented to him by any person liable to road duty in lieu of his work on said roads. He shall take a copy of said receipt and forthwith file the same with the probate judge of said county to be kept and used in the settlement of said apportioners with the commissioners' court.

Sec. 10. Be it further enacted, That this act shall take effect immediately upon its passage.

The State of Alabama, }
Hale County. }

Personally appeared before me, F. L. Boardman, a notary public in and for said State and county, H. G. Ben-
~~ners who being first duly sworn, deposes and says that~~
he is editor and publisher of the Alabama Beacon, a newspaper published at Greensboro, Hale county, Ala-
bama; that the notice hereto attached was, and has
been, published once a week for four consecutive weeks
prior to this date in the said Alabama Beacon.

H. G. Benners,
Publisher Alabama Beacon.

Sworn to and subscribed before me, this the 1st day
of July, 1907.

F. L. Boardman,
Notary Pub., Hale Co., Ala.

H. 565. To confer upon foreign municipal corpora-
tions of adjoining States the power and authority to ac-
quire, own, take and dispose of property in the State of
Alabama, for the purpose of procuring water in this
State for a municipal water supply; and also to confer
upon such municipalities the power to contract to fur-
nish a supply of water to any town, city or municipality
of this State.

And sends the same to the Senate.

Cyrus B. Brown, Clerk.

HOUSE MESSAGE.

The House bills in the foregoing House message were
severally read once and referred to appropriate stand-
ing committees as follows:

H. 860, 883, 884, 927, 656, 1000, 963, 1032 and 935, to
Local Legislation.

H. 1030, 940, 939, to Judiciary.

H. 1079, to Finance and Taxation.

H. 925, to Agriculture.

H. 565, to Corporations.

BILLS ON THIRD READING RESUMED.

The bill:

S. 504. To fix the time of holding the circuit court in the county of Limestone in the eighth judicial circuit of Alabama.

Was read a third time, at length, and passed, and same ordered sent to the House forthwith without engrossment.

Yeas, 31; nays, 0.

Yeas:

Messrs:

Barbour	Hamburger	Lusk	Reynolds
Bayles	Hamner	Merritt	Spragins
Blackmon	Hayes	Miller	Strother
Doster	Heacock	Moody	Teasley
Forrester	Horton	McWhorter	Thomas
Gardner	Jones	Overton	White
Glenn	Leith	Reese	Wilson
Gunn	Lowe	Reid	

—31.

The bill:

S. 363. To amend section 2240 of the Code of Alabama of 1896, and to appropriate the sum of six hundred dollars for the secretary of the Senate and the clerk of the House, respectively, for filing and arranging the papers of their respective Houses in the office of the Secretary of State and copy and deliver to the public printer the journals of their respective Houses, with proper indexes thereto.

Was read a third time, at length, and passed, and ordered sent to the House forthwith without engrossment:

Yeas, 26; nays, 0.

Yeas:

Messrs:

Bayles	Hamner	Lusk	Reynolds
Blackmon	Hayes	Miller	Spragins
Doster	Heacock	McWhorter	Strother
Forrester	Jones	Overton	Teasley
Glenn	King	Reese	Thomas
Gunn	Leith	Reid	Wilson
Hamburger	Lowe		

—26.

The bill:

S. 519. To ratify, confirm and validate loans of money, evidenced by notes and secured by mortgages, or either, made by towns not exceeding a population of two thousand inhabitants as shown by the last federal census.

Was taken up.

The following substitute offered by the committee, to-wit:

A BILL

To be entitled an act, to ratify, confirm and validate loans of money evidenced by notes or bonds and secured by mortgage, or either, made by any city or town out of any funds belonging thereto.

Sec. 1. Be it enacted by the Legislature of Alabama, That all loans of money, evidenced by notes or bonds and secured by mortgage, or either, out of any funds by any city or town are hereby ratified, confirmed and made valid as though heretofore expressly authorized by law.

Was adopted.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Bayles	Hamner	Lusk	Spragins
Doster	Hayes	Merritt	Strother
Forrester	Heacock	Miller	Teasley
Gardner	Horton	Moody	Thomas
Glenn	Jones	McWhorter	White
Gunn	Leith	Overton	Wilson
Hamburger	Lowe	Reynolds	

—27.

And the bill, as thus amended, was read a third time, at length, and passed.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Forrester	Hinson	Merritt	Strother
Gardner	Horton	McWhorter	
Gunn	Jones	Overton	Teasley
Hamburger	King	Reese	Thomas
Hamner	Leith	Reid	White
Hayes	Lowe	Reynolds	Wilson
Heacock	Lusk		

—26.

The bill:

S. 511. To authorize and empower the Alabama Industrial School for white boys, to acquire real estate by purchase, condemnation or otherwise for the use of said school.

Was read, a third time, at length, and passed.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Bayles	Heacock	Lusk	Spragins
Doster	Hinson	Merritt	Strother
Forrester	Horton	Miller	Teasley
Gunn	Jones	Moody	Thomas
Hamburger	King	McWhorter	White
Hamner	Leith	Reynolds	Wilson
Hayes	Lowe		

—26.

The bill:

S. 510. To authorize and require the governor to designate and appoint one of the judges of the city court of Birmingham as special judge of the criminal court of Jefferson county.

Was read a third time, at length, and passed.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Bayles	Glenn	Hinson	Leith
Blackmon	Gunn	Horton	Lowe
Forrester	Hamburger	Jones	Lusk
Gardner	Hamner	King	Merritt

Miller	Reese	Spragins	White
Moody	Reid	Strother	Wilson
McWhorter	Reynolds	Thomas	

—27.

The bill:

H. 757. To legalize and authorize the payment of certain warrants inadvertently and improperly issued by the commissioners' court of Monroe county against the fine and forfeiture fund of said county.

Was read a third time, at length, and passed.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Bayles	Heacock	Lusk	Reynolds
Forrester	Hinson	Merritt	Spragins
Glenn	Horton	Miller	Strother
Gunn	Jones	Moody	Teasley
Hamburger	King	McWhorter	Thomas
Hamner	Leith	Overton	White
Hayes	Lowe		

—26.

The bill:

H. 705. To change the boundary line of the incorporation of the town of Wilsonville in Shelby county, Alabama.

Was read a third time, at length, and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Bayles	Horton	Miller	Reynolds
Glenn	Jones	Moody	Spragins
Hamburger	Leith	McWhorter	Strother
Hamner	Lowe	Overton	Teasley
Hayes	Lusk	Reese	Thomas
Heacock	Merritt	Reid	White
Hinson			

—25.

The bill:

H. 817. To repeal an act entitled an act to provide a fund to be used exclusively for the support of a paid

fire departmnet in the city of Mobile, approved February 1st, 1899.

Was read a third time, at length, and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lowe	Spragins
Bayles	Hayes	Lusk	Strother
Forrester	Heacock	McWhorter	Teasley
Glenn	Jones	Reese	Thomas
Gunn	King	Reid	White
Hamburger	Leith	Reynolds	Wilson

—24.

The bill:

H. 810. To establish a board of revenue for Houston county.

Was read a third time, at length, and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Leith	McWhorter
Bayles	Hamburger	Lowe	Overton
Doster	Hamner	Lusk	Reid
Forrester	Heacock	Merritt	Spragins
Gardner	Jones	Miller	White
Glenn	King	Moody	Wilson

—24.

The bill:

H. 675. To provide for the relief of D. F. Brannon of Mobile county.

Was read a third time, at length, and passed.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Merritt	Spragins
Forrester	Heacock	McWhorter	Strother
Gardner	Hinson	Overton	Teasley
Glenn	Jones	Reese	Thomas
Gunn	Leith	Reid	White
Hamburger	Lowe	Reynolds	Wilson
Hamner	Lusk		

—26.

The bill:

H. 839. To better provide for the working of the public roads in Pike county, Alabama, prescribe rules and regulations for the same and prescribe penalties for the violation of the provisions of this act.

Was read a third time, at length, and passed.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Bayles	Horton	Miller	Spragins
Forrester	Jones	Moody	Strother
Gardner	King	McWhorter	Teasley
Hamburger	Leith	Overton	Thomas
Hamner	Lowe	Reese	White
Hayes	Lusk	Reid	Wilson
Heacock	Merritt	Reynolds	

—26.

The bill:

S. 475. To fix and provide for the salary of the judge of the thirteenth judicial circuit of Alabama.

Was taken up.

Mr. Hamburger offered the following amendment, to-wit:

Amend the bill by adding immediately after the word "thousand" the following words: "five hundred," so as to make the portion of the bill which reads "four thousand and dollars" after amendment to read "four thousand five hundred dollars."

Which was adopted.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Miller	Spragins
Blackmon	Hayes	Moody	Strother
Forrester	Heacock	McWhorter	Teasley
Gardner	Horton	Overton	Thomas
Gunn	King	Reese	Wilson
Hamburger	Merritt	Reynolds	

—23.

And the bill, as thus amended, was read a third time, at length, and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Forrester	Hayes	Miller	Spragins
Gardner	Heacock	McWhorter	Strother
Glenn	Jones	Overton	Teasley
Gunn	King	Reid	Thomas
Hamburger	Leith	Reynolds	White
Hamner	Merritt		

—22.

The bill:

S. 543. To ratify, confirm and legalize the orders, acts and proceedings of the commissioners' court of Choctaw county in issuing to the contractors for building the county court house, three principal warrants and six subsidiary warrants representing a legal rate of interest from January 1st, 1907, on said three principal warrants in settlement of the cost of constructing the county court house and to authorize the payment of said warrants.

Was read a third time, at length, and passed, and ordered sent to the House forthwith without engrossment:

Yeas, 24; nays, 0.

Yeas:

Messrs:

Bayles	Hamner	Merritt	Reynolds
Forrester	Hayes	Miller	Spragins
Gardner	Heacock	McWhorter	Strother
Glenn	Jones	Overton	Teasley
Gunn	King	Reese	Wilson
Hamburger	Leith	Reid	

—24.

The bill:

H. 774. To detach election precinct number nine (9) in St. Clair County, known as Ragland election precinct, from the southern judicial division of the county and attach the same to and make it a part of the north-

ern judicial division of St. Clair county and to confer jurisdiction with right to hear and try all matters and causes, civil and criminal, arising in said election precinct, on the circuit court, chancery court, probate court, county court and commissioners court of the northern judicial division of said county, with place of holding court at Ashville in said county; in the same manner ~~and to the same extent as if said election precinct had~~ never been attached to and made a part of the southern judicial division of said St. Clair county.

Was read a third time, at length, and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Forrester	Hayes	Leith	Overton
Gardner	Heacock	Lowe	Reese
Glenn	Hinson	Lusk	Strother
Gunn	Horton	Merritt	Teasley
Hamburger	Jones	Miller	White
Hamner	King	Moody	Wilson

—24.

The bill:

S. 474. To fix and provide for the salary of the chancellor of the Southeastern Chancery Division of the State of Alabama.

Was taken up.

Mr. Hamburger offered the following amendment to-wit:

By adding immediately after the words "thousand" the following words: "five hundred" so as to make the portion of the bill which reads "four thousand dollars" after amendment to read "four thousand five hundred dollars."

Which was adopted.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Forrester	Hayes	Leith	Reynolds
Gardner	Heacock	Lowe	Spragins
Glenn	Hinson	Miller	Strother
Gunn	Horton	Moody	White
Hamburger	Jones	Overton	Wilson
Hamner	King	Reese	Wimberly

—24.

And the bill, as thus amended, was read a third time, at length, and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Forrester	Hayes	Lowe	Spragins
Gardner	Heacock	Miller	Strother
Glenn	Horton	Moody	White
Gunn	Jones	Overton	Wilson
Hamburger	King	Reese	Wimberly
Hamner	Leith	Reynolds	

—23.

The bill:

S. 506. To amend section 1372 of the Code of 1896 of the State of Alabama.

Was read a third time, at length, and passed.

Yeas, 24; nays, 1.

Yeas:

Messrs:

Davis	Hayes	Merritt	Reid
Forrester	Heacock	Miller	Reynolds
Glenn	Jones	Moody	Spragins
Gunn	King	McWhorter	Strother
Hamburger	Leith	Overton	White
Hamner	Lowe	Reese	Wilson

—24.

Nays: Mr. Lusk—1.

The bill:

S. 393. To authorize an election in the county of Talladega, to determine whether or not bonds in the sum of two hundred and fifty thousand dollars shall be issued by said county for the purpose of building macadam, chert and gravel public roads therein.

Was read a third time, at length, and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Bayles	Hayes	Lowe	Reid
Doster	Heacock	Merritt	Reynolds
Forrester	Horton	Miller	Spragins
Gardner	Jones	McWhorter	Teasley
Gunn	King	Overton	Thomas
Hamburger	Leith	Reese	Wilson
Hamner			

—25.

The bill:

S. 524. To prohibit the sale, barter or exchange of spirituous, vinous or malt liquors or intoxicating beverages or drinks within five miles of the Presbyterian and Baptist churches at Pleasant Hill, Dallas county, Alabama, and to provide for the punishment of the violation of said act by the circuit courts of Dallas or Lowndes counties.

Was taken up.

Mr. Reese offered the following amendment, to-wit:

Amend by adding at end of section 1 the following words: and upon conviction shall be fined not less than fifty dollars and not more than five hundred dollars or sentenced to hard labor for the county for not more than six mnths.

Which was adopted.

Yeas, 20; nays, 1.

Yeas :

Messrs :

Forrester	Jones	McWhorter	Strother
Gunn	Leith	Overton	Teasley
Hamner	Lowe	Reese	Thomas
Hayes	Miller	Reynolds	White
Heacock	Moody	Spragins	Wilson

—20.

Nays: Mr. Lusk—1.

And the bill, as thus amended, was read a third time, at length, and passed.

Yeas, 23; nays, 0.

Yeas :

Messrs :

Blackmon	Hamner	Lowe	Reid
Forrester	Hayes	Merritt	Reynolds
Gardner	Heacock	Moody	Spragins
Glenn	Hinson	McWhorter	White
Gunn	Jones	Overton	Wilson
Hamburger	Leith	Reese	

—23.

The bill :

S. 525. To prohibit the barter or exchange of spirituous, vinous or malt liquors or intoxicating beverages, or drinks, within three miles of the Sister Springs church, in Dallas county, Alabama, and to provide for the punishment of the violation of said act by the circuit court of Dallas county and Lowndes county.

Was taken up.

Mr. Reese offered the following amendment, to-wit:

Amend by adding at end of section 1 the following words: and upon conviction shall be fined not less than fifty dollars and not more than five hundred dollars, or sentenced to hard labor for not more than six months.

Which was adopted.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Forrester	Hayes	Lowe	Reynolds
Gardner	Heacock	Miller	Spragins
Glenn	Horton	Moody	Strother
Gunn	Jones	McWhorter	White
Hamburger	King	Overton	Wilson
Hamner	Leith	Reese	

—23.

And the bill, as thus amended, was read a third time,
at length, and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Bayles	Heacock	Merritt	Reid
Forrester	Hinson	Miller	Spragins
Glenn	Horton	Moody	Teasley
Gunn	Jones	McWhorter	Thomas
Hamburger	Leith	Overton	White
Hamner	Lowe	Reese	Wilson
Hayes			

—25.

The bill:

H. 176. To regulate the payment of claims against
the fine and forfeiture fund of Talladega county.

Was read a third time, at length, and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Barbour	Hamburger	King	Reid
Blackmon	Hamner	Leith	Spragins
Forrester	Heacock	Lusk	Thomas
Gardner	Hinson	Merritt	White
Glenn	Horton	Miller	Wilson
Gunn	Jones	McWhorter	

—23.

The bill:

S. 485. To amend section (6) six, of an act entitled
an act to create the office of associate judge of the city
court of Gadsden; to provide for the qualification, elec-

tion and appointment of such judge; to fix the term of office; to define his powers and duties and to provide for the payment of his salary.

Was read a third time, at length, and passed, and same ordered sent forthwith to the House without engrossment.

Yeas, 17; nays, 2.

Yeas:

Messrs:

Bayles	Hamner	Jones	Teasley
Blackmon	Heacock	Leith	Thomas
Forrester	Hinson	McWhorter	White
Gunn	Horton	Reid	Wilson
Hamburger			

—17.

Nays: Messrs. Barbour, Lusk—2.

The bill:

S. 523. To create and establish a commission to be known as "Selma Water Works Commission," to prescribe their qualifications, mode of election, duties, powers and compensation, terms of office, and to fix a maximum rate to be charged for water in Selma, Alabama.

Was read a third time, at length, and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Blackmon	Hayes	Miller	Spragins
Gardner	Heacock	McWhorter	Strother
Glenn	Jones	Overton	Teasley
Gunn	Leith	Reese	Thomas
Hamburger	Lusk	Reid	White
Hamner	Merritt	Reynolds	Wilson

—24.

Also,

S. 526. To regulate the fine and forfeiture fund of Montgomery county, and provide for the registration and payment of claims against said fund.

Was read a third time, at length, and passed.

Yeas, 23; nays, 0.

Yeas :

Messrs :

Barbour	Heacock	Miller	Strother
Blackmon	Hinson	McWhorter	Teasley
Forrester	Horton	Reese	Thomas
Glenn	Jones	Reid	White
Gunn	Leith	Reynolds	Wilson
Hamner	Merritt	Spragins	

—23.

The bill :

S. 527. To provide for the payment of witnesses before the grand juries and State witnesses in all criminal cases, and fees of the sheriff of the county of Montgomery and clerks of the city court of Montgomery and the county court in and for said county, in criminal cases where the State fails to convict out of the general fund of Montgomery county. And provide compensation for the clerk of the board of revenue for services required of him under this act.

Was read a third time, at length, and passed, and ordered sent to the House forthwith without engrossment:

Yeas, 22; nays, 1.

Yeas :

Messrs :

Blackmon	Heacock	Lowe	Reid
Forrester	Hinson	Miller	Strother
Gunn	Horton	Moody	Teasley
Hamburger	Jones	McWhorter	Thomas
Hamner	King	Overton	Wilson
Hayes	Leith		

—22.

Nays: Mr. Lusk—1.

The bill :

S. 512. To confer equity jurisdiction upon the circuit court of Walker and Winston counties; to prescribe the times of calling the equity dockets in the circuit court in said counties, and to provide a register for said courts.

Was read a third time, at length, and passed, and same ordered sent to the House forthwith without engrossment.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Blackmon	Hayes	Lowe	Strother
Forrester	Heacock	Lusk	Teasley
Gardner	Hinson	Merritt	Thomas
Gunn	Horton	Reese	White
Hamburger	King	Reynolds	Wilson
Hamner	Leith	Spragins	

—23.

The bill:

H. 129. To repeal an act entitled an act to establish a board of police commissioners for the city of Bessemer, Alabama, to provide for the appointment of such commissioners, to define their powers and duties and to regulate the police department of the city, approved March 3rd, 1903.

Was read a third time, at length, and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lowe	Reese
Blackmon	Hayes	Merritt	Reid
Forrester	Heacock	Miller	Teasley
Gardner	Horton	Moody	Thomas
Gunn	Jones	McWhorter	White
Hamburger	King	Overton	Wilson

—24.

H. 797. To require the commissioners of Marion county to advertise for bids for the building of public bridges and other public improvements for at least thirty days before the same is let in some newspaper published in said county and to provide for the manner of letting or receiving bids for same.

Was read a third time, at length, and passed.

Yeas, 24; nays, 0.

Yeas :

Messrs :

Bayles	Hamner	Leith	Overton
Doster	Hayes	Lowe	Reese
Forrester	Heacock	Lusk	Reid
Glenn	Horton	Miller	Reynolds
Gunn	Jones	Moody	Thomas
Hamburger	King	McWhorter	White

—27.

The bill :

H. 752. To vacate and annul that part of Ninth street from the alley extending through blocks 228 and 229 on which is the right of way of the Louisville & Nashville R. R. ; south to the alley extending east and west through blocks 268 and 269 and also that part of Seventh street that extends from the right-of-way of the Louisville & Nashville R. R. south to the right-of-way of the Southern Railway Company in the town of North Birmingham, Ala., as public streets or highways and to annul and extinguish the dedication thereof.

Was read a third time, at length, and passed.

Yeas, 28; nays, 0.

Yeas :

Messrs :

Barbour	Hamner	Lusk	Reynolds
Blackmon	Hayes	Merritt	Spragins
Forrester	Heacock	Miller	Strother
Gardner	Hinson	Moody	Teasley
Glenn	Horton	McWhorter	Thomas
Gunn	Jones	Reese	White
Hamburger	King	Reid	Wilson

—28.

The bill :

H. 224. To repeal an act entitled an act to increase the jurisdiction of the justices of the peace, in Marion and other counties, approved February 13th, 1891, so far as the same relates to Marion county.

Was read a third time, at length, and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Barbour	Hamburger	Leith	Reid
Blackmon	Hamner	Lowe	Reynolds
Doster	Hayes	Lusk	Thomas
Forrester	Horton	Miller	White
Glenn	Jones	Moody	Wilson
Gunn	King	McWhorter	

—23.

The bill:

S. 326. To repeal an act entitled an act to amend section 4630 of the criminal Code, so far as the same relates to beats 10 and 11, in Bibb county, Ala., same approved Feb. 21, 1899.

Was taken up.

The following amendment to said bill, offered by the committee, to-wit:

Insert the words "a bill to be entitled" before the first word of the title of said bill; also, strike out the word "criminal" where the same appears in said bill or the title thereof and also insert the words "of Alabama" after the word "Code" where same appears in said bill or the title thereof.

Was adopted.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Moody	Spragins
Doster	Hayes	McWhorter	Strother
Forrester	Heacock	Overton	Teasley
Glenn	Jones	Reese	White
Gunn	Leith	Reid	Wilson
Hamburger	Miller	Reynolds	

—23.

And the bill, as thus amended, was read a third time, at length, and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Barbour	Hamne	Miller	Reynolds
Forrester	Hayes	Moody	Spragins
Gardner	Heacock	McWhorter	Strother
Glenn	King	Overton	Teasley
Gunn	Lowe	Reese	Thomas
Hamburger	Merritt	Reid	White

The bill:

H. 551. To amend an act entitled an act to authorize and require the commissioners' court of Pickens county to set apart and appropriate money from the general fund of said county with which to pay and discharge certificates of State witnesses issued by the foreman of the grand jury and the clerk of the circuit court of said county, fees which by law become a good claim against the fine and forfeiture fund of said county as hereinafter provided in section two of this act, and to regulate the manner of said payments, and fixing the amount of said witness, approved December 13, 1900.

Was read a third time, at length, and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lowe	Reid
Blackmon	Hayes	Lusk	Reynolds
Doster	Heacock	Moody	Teasley
Forrester	Hinson	McWhorter	Thomas
Glenn	Jones	Overton	Wilson
Hamburger	Leith	Reese	

—23.

The bill:

S. 402. To provide for the holding of a term of the circuit court of the fifth judicial circuit of Coosa county, at Goodwater and to regulate the same.

Was taken up.

The following amendment offered by the committee, to-wit:

Amend section 1, by striking out all after the fourth line, and inserting the following:

"On the third Monday in February and August and may continue two weeks."

Amend by striking out section 10, and insert in lieu thereof the following:

"That the first term of said court shall be held on the third Monday in August, 1907, and said circuit court at Goodwater shall be held in such building as may be provided for the holding of said court by the mayor and aldermen of Goodwater until such time as the commissioners' court of such county may provide for and designate some other building within the corporate limits of the town of Goodwater for the holding of said circuit court at Goodwater, but nothing herein shall be so construed as to require the commissioners' court of Coosa county to build a court house for such purpose at the expense of said county."

Further amend by striking out section 11 and insert in lieu thereof the following:

"The sheriff and clerk of Coosa county shall perform all the duties required of them under the provisions of this act and for the faithful performance of their duties under the provisions of this act, they shall be liable on their official bonds, and on the official bonds of such officers subsequently executed and the sureties on such bonds shall be liable in the same manner and to the same extent as for other official acts of said officers."

Was adopted.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Forrester	Heacock	Merritt	Reid
Gardner	Hinson	Miller	Reynolds
Glenn	Horton	Moody	Spragins
Gunn	Jones	McWhorter	Strother
Hamburger	Leith	Overton	White
Hamner	Lowe	Reese	Wilson
Hayes			

—25.

And the bill, as thus amended, was read a third time, at length, and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Forrester	Heacock	Merritt	Reid
Gardner	Hinson	Miller	Reynolds
Glenn	Horton	Moody	Spragins
Gunn	Jones	McWhorter	Strother
Hamburger	Leith	Overton	White
Hamner	Lowe	Reese	Wilson
Hayes			

—25.

The bill:

S. 509. To provide for the organization, incorporation, government and regulation of cities and towns and to define the rights, powers, duties, jurisdiction and authority of such cities and towns and of the officers thereof, and to prescribe penalties for violations of the provisions of this act.

Was taken up.

The following amendment offered by the committee, to-wit:

In section 2, line 7, after the word "elected" insert "except as herein provided."

In section 2, line 11, strike out "mayor and aldermen" and insert in lieu thereof "no officer of the city."

In section 2, line 12, strike out the "first day of January, 1910," and insert in lieu thereof "the term of the mayor holding office at said time."

In section 2, line 18, after the word "organized" add "the term mayor as used in this act shall include the chief executive officer of any city or town as now organized."

Section 4, line 4, strike out "authorized by the State" and insert in lieu thereof "taken as herein authorized."

In section 17, line 3, after the word "clerk" insert "who shall be residents of such cities."

In section 26, line 3, after the word "registered" insert "and qualified."

In section 29, line 2, strike out "county officers" and insert in lieu thereof "judge of probate."

In section 38, lines 6 and 7, strike out "one thousand dollars (\$1,000.00)" and insert in lieu thereof "five hundred dollars (\$500.00)."

In section 52, line 12, after the word "treasurer" insert "any part of the duties of the clerk may be devolved upon the auditor by ordinance."

In section 78, line 2, after the word "employer" insert the words "or employee."

In section 87, line 5, after the word "electricity" insert water, and expiration of contract.

In section 88, line 6, after the word "town" insert "and to exact fees to be paid by the owners of property inspected."

In section 88, line 11, after the word "necessary" add "to condemn buildings, parts of buildings or structures dangerous to the public and to prohibit the use thereof and abate the same as a nuisance. The council may make reasonable charges for the service of plumbing and electric wiring inspection, inspection of foods and foodstuffs, meats and vegetables, and weights and measures."

In section 95, line 27, next after the word "defendants" insert "If the injured party shall, before bringing suit demand of the mayor of such municipality the name of such other person or persons or corporations as may be liable jointly with the said municipality to such injured party, and if such mayor fail to furnish, within ten days from the making of such demand, the name of such person or persons or corporation so jointly liable, the said injured party shall not be required to join such other person as a party defendant with said municipality in any suit brought to recover damages for such injuries."

In section 99, line 4, after the word "beverages" insert "when not prohibited by law."

In section 110, line 12, after the word "cases" insert "containing a description of the property."

In section 142, line 5, after the word "quarantine" add "not inconsistent with laws of the State."

In section 177, line 3, after the word "education" add "or where the members of the board hold office for life."

After section 198 add the following:

Section 199. Any municipal corporation existing under the laws of this State, at the time of the passage of this act, which shall desire to organize its present city government under the provisions hereof at once, may, by the passage of an ordinance by the governing body of such city or town, stating that in the judgment of such governing body, ~~That it is for the best interest of such~~ city or town to organize under this act and that the city or town is hereby declared to be organized under the general municipal laws of Alabama, and that the then existing offices and officers of said city or town shall continue to exist and to hold such offices until the time fixed herein for their term to expire as provided in section two of this act." The then existing governing body shall proceed to elect such other officers as are required by this act and not provided for by the charter of such city or town, who shall hold office until the first election hereunder and until their successors are elected and qualified. Should there be any office existing under the charter of such city or town not authorized by this act such office shall cease to exist at the first election hereunder.

Which was adopted.

Yeas, 19; nays, 0.

Yeas:

Messrs:

Gardner	Lowe	McWhorter	Teasley
Gunn	Lusk	Reese	Thomas
Hamner	Merritt	Reid	White
Hinson	Miller	Spragins	Wilson
Leith	Moody	Strother	

—19.

Mr. Reid offered the following amendment, to-wit:

Amend section 2 of the bill by striking out the words "1st day of January" in the second line of said sections printed, and by placing in lieu thereof the words "1st day of December."

Which on motion of Mr. Strother was laid on the table.

Mr. Reynolds offered the following amendment, to-wit:

The section 97 amend by striking out the words "all amounts of sales or receipts" in line 6 of the printed copy of the bill; also in line 8 strike out the words "or amount of sales or receipts."

Which on motion of Mr. Strother was laid on the table.

Mr. Gardner offered the following amendment, to-wit:

Amend section 18 as shown by printed copy by striking out the word "five" before the word aldermen in line 6 of said section 18 and insert in lieu thereof the word "six."

Which on motion of Mr. Strother was laid on the table.

Mr. Spragins offered the following amendment, to-wit:

Section 41. All cities and towns in this State shall have the power to borrow money to the full extent authorized by the constitution and to borrow money in anticipation of the collection of taxes, and to issue certificates of indebtedness therefor which shall be signed by the mayor and countersigned by the clerk. No loan or loans shall be made in excess of one-fourth of the general revenues of such city or town. The sums so borrowed in anticipation of taxes shall be deemed as appropriated out of the succeeding tax collections for the payment of the certificates at maturity. Such certificates of indebtedness shall not run for a longer period than twelve months, nor bear a greater rate of interest than eight per cent. nor be sold or disposed of for less than par with accrued interest. Bonds authorized to be issued by cities and towns of the State by act of the Legislature before the adoption of the constitution, or by laws adopted since the adoption of the constitution, may be issued by such municipality the same, after becoming organized under this act, as before.

Which on motion of Mr. Strother was laid on the table.

Yeas, 21; nays, 6.

Yeas:

Messrs:

Barbour	Lowe	McWhorter	Strother
Gardner	Lusk	Overton	Teasley
Gunn	Merritt	Reese	Thomas
Hamburger	Miller	Reid	White
Hamner	Moody	Reynolds	Wilson
Leith			

—21.

Nays:

Messrs:

Bayles	Doster	King	Spragins.
Blackmon	Hinson		

—6.

And the bill, as thus amended, was read a third time, at length, and passed, and ordered sent to the House forthwith without engrossment.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Barbour	Heacock	Merritt	Reynolds
Blackmon	Hinson	Miller	Spragins
Forrester	Jones	Moody	Strother
Glenn	King	McWhorter	Teasley
Gunn	Leith	Overton	Thomas
Hamburger	Lowe	Reese	White
Hamner	Lusk	Reid	Wilson
Hayes			

—29.

The bill:

H. 766. To amend section 1 of an act, approved February 15, 1899, entitled an act to amend an act entitled an act to establish the Tuscaloosa county law and equity court, approved December 9, 1896.

Was read a third time, at length, and passed.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lusk	Reynolds
Bayles	Hayes	Merritt	Spragins
Blackmon	Heacock	Miller	Strother
Forrester	Hinson	Moody	Teasley
Gardner	Horton	McWhorter	Thomas
Glenn	King	Reese	White
Gunn	Lowe	Reid	Wilson
Hamburger			

—29.

RECOMMITTAL OF BILL.

On motion of Mr. Bayles:

S. 455. To fix and define the liability of persons, firms and corporations engaged in the transmission of telephone or telegraph messages in this State, for the negligent or willful omission to transmit and deliver or to transmit or deliver any message accepted by any such persons, firms or corporations.

Was recommitted to the committee on Revision of Laws.

ADJOURNMENT.

The hour of 5:30 o'clock p. m. having arrived the Senate adjourned until Friday, July 19th, 1907, at 9 o'clock.

FORTY-SECOND DAY.

Friday, July 19, 1907.

The Senate met pursuant to adjournment.
 Prayer by the Rev. Mr. Price, of the House of Representatives.

ROLL CALL.

Present:

Mr. President, and,

Messrs:

Barbour	Hamner	Lusk	Reynolds
Bayles	Hayes	Merritt	Spragins
Blackmon	Heacock	Miller	Strother
Doster	Hinson	Moody	Teasley
Forrester	Horton	McWhorter	Thomas
Gardner	Jones	Overton	White
Glenn	King	Reese	Wilson
Gunn	Leith	Reid	Wimberly
Hamburger	Lowe		

—34.

LEAVES OF ABSENCE.

Leaves of absence were granted to Messrs. Wimberly and Gunn for tomorrow.

PRIVILEGE OF THE FLOOR.

The privilege of the floor were extended to Messrs. W. O. Weekly, G. P. Rogers, C. J. Mercer, Jno. H. Carter, C. F. Fennell and D. C. Jordan.

JOURNAL.

On motion of Mr. Hamner the reading of the Journal was dispensed with and the same was approved.

ORDER TO PRINT.

On motion of Mr. Moody three hundred copies of Senate bill number 569 were ordered printed for the use of the Senate.

SPECIAL ORDER.

On motion of Mr. Gardner

S. 520. To amend an act entitled an act to create a railroad commission of Alabama, define its views and powers and provide for its mode of procedure and prescribe penalties for violation of its orders.

Was made a special order for twelve o'clock today.

On motion of Mr. Overton

S. 398. To further prescribe the powers of the railroad commission of Alabama and to authorize it to change any classification of railroads or of any articles of freight, or any rates or charges for the transportation of freight or passengers which have been, or which may hereafter be, prescribed by statute, or any prevailing rates or changes for such transportation which have been, or which may hereafter be, by statute made the maximum rates.

And,

S. 399. (With amendment). To amend sections 2, 3 and 4 of an act entitled "An act to regulate railroads and other common carriers in this State, to secure reasonable and adequate service and prevent unjust discrimination in their public service, and prescribed penalties for violation thereof" approved February 23, 1907.

Were made a special order for the next legislative day at 10 o'clock a. m.

RESOLUTIONS.

Mr. Thomas offered the following resolution:

S. R. 70. Be it resolved by the Senate that the Governor be and he is hereby requested to transmit to the Senate for its information a copy of the report of Dr.

Shirley Bragg, the State Inspector of Jails, Almshouses, and Cotton mills.

Be it further resolved that the Secretary immediately inform the Governor of the passage of this resolution. Which was adopted.

Mr. Lusk offered the following resolution :

~~Resolved by the Senate, the House of Representatives~~
concurring, that when the Legislature adjourns today, July 19th, it be to meet Monday, July 22nd.

Which was adopted.

Mr. Lusk offered the following resolution :

S. R. 71. Resolved by the Senate, That the House of Representatives be hereby requested to return to the Senate for further consideration and amendment Senate bill No. 509 entitled an act to provide for the organization, incorporation, government and regulation of cities and towns and to define the rights, powers, duties, jurisdiction and authority of such cities and towns and of the officers thereof, and to prescribe penalties for violations of the provisions of this act.

Which was referred to the Committee on Rules.

INTRODUCTION OF BILLS.

On a call of the districts, bills were introduced, read one time and referred to appropriate standing committees as follows:

By Mr. Lusk:

S. 596. To repeal an act to repeal sections 3957, 3958, 3959, 3960, 3961, 3962, and 3963 of the Code of Alabama of 1896 in so far as the same applies to Jackson county, approved October 13, 1903.

Judiciary.

With notice and proof as follows:

The State of Alabama, }
Jackson County. }

Personally appeared before W. W. McCutchens, judge of probate in and for said county and State, L. E.

Brown, who, being duly sworn, says that he is editor and proprietor of the Progressive Age, a newspaper published in Jackson county, and that the following notice appeared and was published in such paper for four consecutive weeks, viz.: May 2, 9, 16, and 23d, 1907.

L. E. Brown.

NOTICE.

Is hereby given that a bill will be introduced in the present Legislature of Alabama, which convenes in Montgomery on the 9th day of July, 1907, to repeal an act passed by the Legislature of Alabama Oct. 13, 1903, which act repealed sections 3957, 3958, 3959, 3960, 3961, 3962, and 3963 of the Code of 1896 in regard to land books to be prepared by the tax assessor as far as they apply to Jackson county.

This April 23, 1907.

J. H. Gregory.

ap25-4t

Sworn to and subscribed before me this 16th day of July, 1907.

W. W. McCutchen,
Judge of Probate.

By Mr. Heacock:

S. 597. To amend sections 3 and 4 of an act entitled "To amend sections 4, 5, 6, 7, 8, 9, 10, 16, 17, and 20 of an act entitled an act for the relief of needy confederate soldiers and sailors, resident citizens of Alabama, and their widows," approved February 10, 1899, approved March 4, 1901.

Finance and Taxation.

By Mr. Overton:

S. 598. To further define the powers and duties of the railroad commission of Alabama and provide for its mode of procedure and prescribe penalties for violations of its orders.

Commerce and Common Carriers.

By Mr. Strother:

S. 599. To authorize and empower the commissioners' court of Tallapoosa county to fix and regulate the tolls to be charged by the owners of the bridge across the Tallapoosa river at Tallassee, Alabama, for the use of said

bridge by passengers and for vehicles, and for traffic, and for whatsoever may pass over the same, and to provide for the enforcement of such rates of toll, and to prescribe penalties for collecting, demanding or receiving tolls in excess of said rates fixed by said court of county commissioners.

Judiciary.

With notice and proof as follows:

NOTICE.

Notice is hereby given that a bill will be introduced in the Legislature of Alabama, at its next session which convenes on the 9th day of July, 1907, to authorize and empower the commissioners' court of Tallapoosa county to fix and regulate the tolls to be charged by the owners of the bridge across Tallapoosa river at Tallassee, Alabama, for the use of said bridge by passengers and for vehicles, and for traffic, and for whatsoever may pass over the same; and to provide for the enforcement of such rates of toll and to prescribe penalties for collecting, demanding or receiving tolls in excess of said rates fixed by said court of county commissioners.

The substance of said bill shall be as follows:

Section 1. Be it enacted by the Legislature of Alabama, That the commissioners' court of Tallapoosa county are authorized and empowered to regulate and fix the rate of toll that shall be charged by the owners of the bridge across the Tallapoosa river, at Tallassee, Alabama, for the use of said bridge by passengers and for vehicles, and for traffic, and for whatever may pass over the same, and said commissioners' court may from time to time alter said rates of toll when in the judgment of the court the same shall be necessary and proper.

Section 2. After the rates of toll to be charged for the use of said bridge shall have been fixed by said court of county commissioners, it shall be unlawful for the owners or keeper of said bridge to demand or receive from any person a larger rate of toll than that prescribed and fixed by said court of county commissioners

and for each violation of this act the owners of said bridge shall forfeit to the person from whom excessive toll shall have been demanded or received twenty dollars, recoverable before any justice of the peace of said county.

The State of Alabama, }
Elmore County. }

Before me, J. C. McKenzie, a notary public for said county, personally appeared, F. R. McKenzie, who, being first duly sworn, doth depose and says, that the attached notice was published in the Tri-County Weekly, a newspaper published at Tallassee, in Elmore county, Alabama, and the same appeared four consecutive times, beginning four weeks before the meeting of the present Legislature, to-wit: June 8th, 15th, 22nd, and 29th, 1907.

Sworn to and subscribed before me this July 17th, 1907. J. C. McKenzie, J. P.

By Mr. Thomas:

S. 600. To make an appropriation for the erection of monuments commemorating the heroic deeds of Alabama's sons, to be expended by the Alabama Monument Commission, with the approval of the governor.

Finance and Taxation.

By Mr. Glenn:

S. 601. To ratify and confirm the acts of the courts of county commissioners and boards of revenue in the several counties of the State in allowing fees to sheriffs for attendance on the county courts of the State.

Finance and Taxation.

By Mr. Reese:

S. 602. To exempt licensed embalmers from jury service.

Judiciary.

By Mr. Miller:

S. 603. To reimburse the governor's contingent fund the amount expended therefrom in paying the funeral expenses of the late William L. Martin, who at the time

of his death was Speaker of the House of Representatives, and to make an appropriation therefor.

Finance and Taxation.

By Mr. Blackmon:

S. 604. To amend section 1 of an act entitled an act ~~to define and prohibit the unlawful giving, issuing,~~ using, or receiving free passes, rebates, reductions or discounts for transportation by common carriers of passengers and to punish the unlawful giving, issuing, using or receiving the same, approved February 14, 1907.

Privileges and Elections.

By Mr. Hamner:

S. 605. To further regulate insurance in the State of Alabama.

Banking and Insurance.

By Mr. Hamner:

S. 606. To regulate the placing of insurance in unauthorized companies; defining agents; requiring the signature of agents to policies; providing for re-insurance; defining brokers and prescribing fees for same; and providing penalties for certain violations.

Banking and Insurance.

By Mr. Teasley:

S. 607. To provide for the further maintenance and support of the State Normal school for colored students at Montgomery.

Finance and Taxation.

By Mr. Teasley:

S. 608. To provide that no license or taxes of any character shall be required by the State, county or municipality from the Alabama Agricultural Association or from those who conduct business under contract with it on its grounds during the time its annual fair is actually in progress.

Finance and Taxation.

With notice and proof as follows:

NOTICE.

Notice is hereby given that a bill will be introduced in the next Legislature of Alabama providing that no license or taxes of any character shall be required by State, county or municipality from the Alabama Agricultural Association or from those who conduct business under contract with it on its grounds during the time its annual fair is actually in progress.

The State of Alabama, }
Montgomery County. }

This day appeared before me, a notary public in and for said State and county, G. H. McCombs, who, being duly sworn, states: That he is cashier of The Advertiser Company, a newspaper doing business in Montgomery, Alabama, and that the attached notice appeared in four issues of said paper upon the following dates: April 28, May 5, 12 and 19, 1907.

G. H. McCombs.

Sworn to and subscribed before me this 11th day of July, 1907.

Rica Alexander,
Notary Public, Montgomery Co., Ala.

By Mr. Teasley:

S. 609. To make an appropriation for the payment of the expenses of confederate reunions in this State.

Finance and Taxation.

By Mr. Lowe:

S. 610. To amend section one of an act entitled an act "To provide for the settlement, adjustment and refunding of the bonded indebtedness of municipal corporations," approved February 26th, 1903.

Municipal Organizations.

By Mr. Bayles:

S. 611. To amend an act, to establish a State livestock sanitary board and the office of State veterinarian

in order to further protect livestock from contagious and infectious diseases and provide for the eradicating and excluding such diseases from Alabama, approved March 12th, 1907.

Revision of Laws.

By Mr. Overton:

~~S. 612. To regulate the employment of children in mills, factories and manufacturing establishments in this State, and to provide for the inspection of rooms, places and premises wherein they are worked, and to adequately punish any violation of same.~~

Mining and Manufacturing

REPORTS OF COMMITTEES.

Mr. Lusk, chairman of the standing committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:

S. 515. To authorize any person receiving a conveyance of real estate which is adversely held at time of such conveyance to sue for possession thereof in his own name.

Also,

S. 552. To fix the times and places of holding the chancery court in the Northeastern chancery division of Alabama.

Also,

S. 553. To amend sections 2, and 3, of an act entitled an act to amend sections 897 and 911 of chapter 19, article 1 of the Code of Alabama.

Also,

S. 554. To amend section 660 of the Code of Alabama of 1896.

Also,

S. 577. To fix the times and places of holding the circuit courts in the fifth judicial circuit of Alabama.

Also,

H. 940. To provide for the publication and distribution of the Code of Alabama and the acts of the Legislature.

Also,

H. 939. To adopt a Code of laws for the State of Alabama.

Also,

H. 1030. To amend sections two, twenty-seven and thirty-three of an act entitled an act to establish the Walker county law and equity court, approved December 5th, 1900, and to amend section one of an act, approved February 15, 1901, entitled an act to amend sections 8, 9 and 6 of an act entitled an act to establish the Walker county law and equity court, approved December 5, 1900.

Also,

H. 590. To amend an act entitled an act to amend section 4730 of the criminal Code of 1896, approved October 1st, 1903.

Also,

H. 223. To repeal an act entitled an act to increase the criminal jurisdiction of justices of the peace and notaries public having like powers, in Marion county and other counties, approved February 8, 1877, so far as the same relates to Marion county.

Also,

H. 55. To provide for the exclusion from the court room all persons, except such as may be necessary in the conduct of the trial, in prosecutions for rape, assault with intent to ravish, seduction and incest.

Mr. Hayes, chairman of the standing committee on Constitution and Constitutional Revision and Amendment, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report:

S. 551. (With amendment.) To submit to the qualified electors of the State at the general election to be held on the first Tuesday after the first Monday in November, 1908, for their consideration an amendment to section 93 of article IV of the Constitution so as to provide that the State may under appropriate laws cause the net proceeds from the State convict fund to be ap-

plied to the construction, repair and maintenance of public roads for the State and the Legislature may also make additional appropriations for that purpose.

Mr. King, chairman of the standing committee on Game, Fish and Forestry Preservation, reported that ~~said committee, in session, had acted on the following bills and ordered same returned to the Senate with a~~ favorable report:

S. 471. To amend section one of an act, approved December 7, 1896, entitled an act to amend section 1 of an act entitled an act to protect the fish in Deer river, East Fowl river, West Fowl river, Little river and the tributaries of those streams in Mobile county, approved February 18, 1895.

S. 476. To amend section 3 of an act entitled an act to protect and regulate the time and manner of catching and taking fish from and in the waters of the State of Alabama, in the counties of Mobile and Baldwin, approved February 9, 1891.

Also,

S. 486. (With amendment.) To further protect and promote the propagation of fish, and to protect private interests in ponds, pools, lakes, or other reservoirs or bodies of water containing fish.

Mr. McWhorter, chairman of the standing committee on Temperance, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:

S. 567. To authorize incorporated towns and cities of Tuscaloosa county to establish, maintain and operate dispensaries and in and through such dispensaries to buy and sell spirituous, vinous and malt liquors, and to prohibit and punish the selling of liquors and intoxicating drinks in said counties in any other way than by such municipal corporations through their dispensaries; to declare that the violation of certain provisions of this act shall be a misdemeanor and to provide for the punishment thereof; to further regulate the sale of liquors in said county; and to repeal an act entitled, "An act to

authorize all incorporated towns, and cities in Tuscaloosa county to buy and sell spirituous, vinous and malt liquors, and to provide for the distribution of certain profits arising therefrom, and to further regulate or prohibit the sale of such liquors in said county," approved on the 27th day of February, 1901. This act not being intended, however, to repeal or affect any existing law under which the sale of liquors in said county may hereafter be prohibited.

Also,

S. 568. To amend section 18 of an act entitled an act "to provide that under certain conditions an election may be held in the several counties in Alabama, each county acting by and for itself only, as to whether municipal corporations in such counties shall have authority to buy and sell spirituous, vinous or malt liquors; to provide that the voters at said election shall vote "For Dispensary" or "Against Dispensary"; to declare the result and effect of said election; to define the term "dispensary", as used in this act; to provide that in those counties in which at the election aforesaid, a majority of the votes are cast "For Dispensary," the municipal corporations in said counties shall have authority to establish maintain and operate dispensaries, and in and through such dispensaries to buy and sell spirituous, vinous and malt liquors; to prohibit and punish the selling of liquors and intoxicating drinks in said counties in any other way than by such municipal corporation through their dispensaries; to declare that the violation of certain provisions of this act shall be a misdemeanor and to provide for the punishment thereof; and to further regulate the sale of liquors in said counties; this act not being intended, however, to repeal or affect any law which prohibits the sale of liquor in any county or part of a county, or to repeal or affect any law which authorizes municipal corporations to buy and sell liquors in any county or part of a county by and through dispensaries, or to repeal any local law authorizing the sale, without license, of wines made from grapes or berries grown in this State.

Also,

S. 569. To authorize certain officers of counties in which dispensaries are now established by law and certain officers of the towns which are operating in said counties dispensaries for the purchase and sale of liquors, said sets of officers acting together as one body, ~~to require said dispensaries to be conducted and operated under the provisions prescribed by this act, thus~~ providing a new charter for dispensaries that are now operated or that may hereafter be established in said towns.

Also,

H. 1034. To amend section 2 of an act, entitled an act to amend an act, entitled an act to establish, maintain and regulate a dispensary in the town of Camden, Wilcox county, Alabama, for the sale of spirituous, vinous and malt liquors, approved September 23, 1903, so as to provide that the one-fourth of the net proceeds of said dispensary shall be appropriated to the public road fund for Wilcox county, and providing for the election by the mayor and board of aldermen of the town of Camden, Alabama, for a cashier to issue checks for the purchase of liquors in said dispensary.

Also,

H. 360. To prohibit the selling, giving away or otherwise disposing of spirituous, vinous or malt liquors or other intoxicating liquors or beverages in any of the voting precincts of Crenshaw county, Alabama, and to make it unlawful for the probate judge of said county to issue license to any person, firm or corporation to sell, give away or otherwise dispose of spirituous, vinous or malt liquors or other intoxicating liquors or beverages in any precinct of said county until the proposition shall have first been submitted to the qualified voters of the precinct in which the aforesaid liquors are to be sold, ~~given away or otherwise disposed of, and to provide for an election therefor and the expense of holding an election and to punish the violations of the provisions of this act.~~

Also,

H. 742. To prohibit the sale of intoxicating liquors of every kind, within three miles of the public school house at Creola, Mobile county, Alabama, and to provide a penalty for the violation of this act.

Also,

H. 795. To prohibit any person or corporation from selling, giving away, delivering or otherwise disposing of spirituous, vinous or malt liquors or other intoxicating bitters or beverages in Marion county, Alabama, prescribing that a delivery shall constitute a sale, and prescribing a penalty for the violation of said law.

Also,

S. 578 1-2. (With amendment.) To appropriate the sum of \$———— to defray the expenses of erecting and procuring a memorial statute to Hon. John Tyler Morgan in Statutory Hall.

Mr. Horton, chairman of the standing committee on Agriculture, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:

S. 386. To prohibit, regulate and restrict the running at large of any stock or cattle within the State of Alabama by providing for elections in the various counties or subdivisions of counties of the State to determine whether the running at large of stock or cattle shall be prohibited, regulated and restricted.

Also,

H. 888. (With amendment.) To provide for the establishment of a branch of the circuit court of Barbour county; to define its powers and jurisdiction; to regulate the trial of causes therein, and the drawing and summoning of juries and witnesses therefor.

Mr. Miller, chairman of the standing committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:

S. 547. (With amendment.) To create a commission whose duty it shall be to erect a statute of the late Mr.

Jefferson Davis in front of the capitol in the city of Montgomery, Alabama, and to appropriate the sum of ten thousand dollars for the purpose of erecting such statute.

Also,

S. 548. For the relief of Mrs. M. J. Smyley, of Marengo county, the widow of a confederate soldier.

Also,

S. 565. (With amendment.) To amend an act entitled an act to provide for the establishment of a bureau to collect, compile, and publish cotton statistics and to prescribe the duties and powers of said bureau; to make appropriations for the maintenance thereof; to require ginners and others to make reports thereto; and to provide penalties for the violations of the provisions of this act, approved March 5, 1907.

Also,

H. 1186. To provide for the publication of State papers, official records and of historical materials of the State of Alabama.

Also,

S. 562. (With amendment.) For relief of Charles G. Abercrombie & Company on unexpired license as future dealers.

Also,

S. 513. (With amendment.) To amend an act to provide for the inspection of jails and almshouses and cotton mills or factories, approved March 4, 1907, by adding section 12; to provide for a clerk to the inspector and for office expenses of the inspector.

Also,

S. 481. To provide for the contingent expenses of the attorney-general.

Also,

H. 134. (With amendment.) To provide for the assessment and collection of poll taxes.

Also,

H. 513. To fix the salary of the clerk of the adjutant general and to make appropriation for same.

Mr. Merritt, chairman of the standing committee on Local Legislation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:

S. 305. To enlarge the powers of the board of trustees, hereafter to be known as the board of education of the school district of New Decatur.

Also,

S. 557. To create the office of official stenographer for Walker county, Alabama, to provide for his appointment, fix his compensation and define his duties, and provide for special stenographers in certain cases.

Also,

S. 583. To fix and increase the compensation for ex-officio services of the sheriff of Perry county, Alabama.

Also,

S. 581. To require the tax assessor of Mobile county to make a lot book for the years 1906, 1907, and each year thereafter, showing in abstract form all legal subdivisions which have been or which may hereafter be made of all property in Mobile county, and the name of the person, firm or corporation to whom each lot or subdivision is assessed for the said years; and to provide compensation therefor.

Also,

H. 883. To authorize the board of county commissioners of Tuscaloosa county to contribute to the maintenance of a wagon yard or lot in the city of Tuscaloosa and to pay from the general fund of the county such sum or sums of money as said board may deem necessary or proper for such purpose.

Also,

H. 935. To amend section (22) of an act entitled an act to establish the city court of Bessemer.

Also,

H. 1082. To provide for an official shorthand reporter for the Thirteenth judicial circuit; to prescribe the qualifications, term of office and duties of such reporter, and to fix his compensation and fees.

Also,

S. 391. (With amendment.) To fix the salary of the judge of the city court of Talladega county and to provide for payment of the same.

Also,

H. 963. To authorize the Lee county court of law and equity to revive and enforce judgments, decrees, orders and proceedings entered prior to ~~July 1st 1907~~ in the circuit, chancery and county courts of Lee county.

Also,

H. 1000. To repeal an act entitled an act to regulate the payment of claims against the fine and forfeiture fund of Morgan county, Alabama, approved February 15, 1897.

Also,

H. 927. (With amendment.) To further provide for the further construction, maintenance and repair of public roads in Jackson county.

Also,

H. 860. To authorize the board of mayor and aldermen of the city of Bridgeport, in Jackson county, Alabama, to permit school children living without the limits of said city, to attend the public schools within said city upon such terms as said board may prescribe.

Also,

H. 884. To authorize the board of mayor and aldermen of the city of Tuscaloosa to maintain or to contribute to the maintenance of a wagon yard or lot in the city of Tuscaloosa for the benefit of the public, and the prescribe rules for the government of same, and to pay out of the general fund of the city such sums of money as the said city board deems necessary for the maintenance or part maintenance of said wagon yard or lot.

Also,

H. 847. To provide for the payment of the salary of the judge of the city court of Anniston, and to fix the amount of the same at ~~thirty five hundred~~ dollars.

Also,

S. 585. To authorize and empower the court of county commissioners of Butler county to employ a janitor for Butler county, who shall be under the control and di-

rection of the sheriff of Butler county, to prescribe his duties and to provide for the payment of such janitor.

Also,

S. 588. To authorize and empower the court of county commissioners of Butler county to contract for and place in the office of the various officers of said county, telephones, writing machines and other mechanical devices as in the opinion of said court of county commissioners is necessary or expedient and to contract for and place in the jail and poor house of said county such telephones as may be necessary.

Mr. Bayles, chairman of the standing committee on Revision of Laws, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:

S. 452. (With amendment.) To make it unlawful to set fire to grass, straw, forest or woods, and to prescribe punishment therefor.

Also,

S. 580. To amend the last subdivision of section 1377 of the civil Code relating to compensation of sheriffs for ex-officio services.

Also,

S. 447. To fix and provide for the compensation of performances of ex-officio services of the sheriff of Dallas county, Alabama, including the empannelling of grand juries and services in regard to elections and all other public services for which no other compensation is provided.

Also,

S. 454. (With substitute.) To further regulate and fix the time when persons are liable for the payment of poll taxes.

Also,

S. 446. To provide for the contest of nominations made by political parties.

Also,

S. 546. (With amendment.) To amend sections 1, 2, 4, 6, 8, 9, 13, 14, and 15 of an act entitled "An act to regulate the registration, branding, sale, tagging and analysis of commercial fertilizers, acid phosphates, fer-

tilizer materials and chemicals in the State of Alabama," approved March 3, 1903.

Also,

S. 589. To amend sections 1 and 3 of an act entitled an act "To prohibit the sale of adulterated cotton seed meal as fertilizer, to have the same analyzed and a ~~guaranteed analysis printed on tags and tags attached to the bags containing the same, and in case of sales in bulk to have such analysis set forth in the contract of sale and providing penalties and punishment for violations of the provisions of this act, approved March 2nd, 1907.~~

Also,

H. 271. To prevent the removal of ginner's tags from cotton bales and to provide a penalty therefor.

Mr. King, chairman of the standing committee on Game, Fish and Forestry Preservation, reported that said committee in session had acted on the following bill and ordered same returned to the Senate with a favorable report:

H. 778. To prevent the shooting of live pigeons, fowls or other birds for amusement, or as a test of skill in marksmanship and to provide a penalty for same.

Mr. Harburger, chairman of the standing committee on Military, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:

S. 592. To amend section 1 of an act entitled an act to alter, rearrange and extend the corporate limits of the city of Mobile, Alabama, approved March 2, 1907.

Also,

S. 591. To provide for compulsory pilotage on all vessels and craft crossing the outer bar of Mobile bay, ~~except vessels engaged in American coast-wise trade,~~ and to repeal all laws in conflict ~~herewith.~~

Mr. Bayles, chairman of the standing committee on Revision of Laws, reported that said committee, in ses-

sion, had acted on the following bills and ordered same returned to the Senate with a favorable report:

S. 110. (With substitute.) To regulate the carrying and the use of firearms.

Also,

S. 461. (With substitute.) To impose a tax of one dollar each year on all dogs in the State of Alabama over four months of age, and to provide for the collection of such tax and to provide that all live stock killed or injured and all damages done thereto shall be paid for out of the dog tax fund, and to provide that the surplus left in the dog tax fund on the first day of March of each year shall be paid into the public school funds of the county in which said tax was collected.

The foregoing bills contained in said committee reports were severally read a second time and placed on the calendar.

RETURN OF BILL.

Mr. Lusk, from the committee on Judiciary, returned to the Senate:

S. 582. To amend section 3 of an act approved March 4th, 1901, entitled an act to amend sections 4, 5, 6, 7, 8, 9, 10, 16, 18 and 20 of an act entitled an act for the relief of needy confederate soldiers and sailors, resident citizens of Alabama, and their widows, approved February 10th, 1899.

And on motion same was referred to the committee on Finance and Taxation.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. President:

The committee on Enrolled Bills report that they have examined the following Senate bills: 392, 393, 415, 418, 420, 421, 450, 458, 478, 479, 489, 490, 492, 493, 494, 501, 502, 506, 510, 511, 523, 526, 484, and compared them with the original bills respectively and find same to be correctly engrossed.

Robt. E. Spragins,
Chairman Committee on Engrossed Bills.

NOTICE.

Notice is hereby given that a motion will be made on Monday, July 22nd, after the call of committees, to take from the adverse calendar House bill No. 324 and place it upon a second reading. By Teasley.

~~Notice is hereby given that a motion will be made on~~
the next legislative day after the call of committees to take from the adverse calendar House bill No. 162 and place it upon a second reading. By Teasley.

SPECIAL ORDER.

On motion of Mr. Lusk House bills 939 and 940 were made special orders for the next legislative day immediately after report of select committees.

Mr. Moody presented the following

RESOLUTIONS.

Whereas, the management of the Bryce Insane Hospital has fallen under adverse criticism from discharged nurses and former patients; and,

Whereas, these criticisms have become the subject of a legislative investigation; and,

Whereas, prompted by the great interest felt by the city of Tuscaloosa in this great State institution, and by the desire to relieve the minds of those who have friends or relatives under its care, the board of trade has called this mass meeting of the citizens to consider and give expression to the sentiment here prevailing relative to said criticisms; therefore,

Be it resolved, that the citizens of Tuscaloosa are in no measure shaken in their long and well founded confidence and pride in the wise and beneficent management of the Hospital;

That they now record their admiration for the great and unselfish work of Jas. T. Searcy, the noble head of a noble institution, and now bear testimony to their af-

fectionate regard for his gentle and chivalrous personality;

That they are sure that the physicians in charge at the hospital are in point of learning, skill and kindness entitled to the fullest confidence of the people of Alabama;

That it is impossible for the people of this community to credit any charge of cruel or harsh treatment of the patients by any physician of the hospital, or to believe that any such treatment has come under their notice without deserved and adequate rebuke;

That the faith of its immediate neighbors, in the probity, humanity and efficiency of the hospital is evidenced by the fact that this country sends to it far more than its proportionate quota of patients;

That we believe that the hospital does now, and has always, deserved the admiration and confidence with which it is now regarded by the people of the State and the alienists of the Nation;

That the complaints presented are gross exaggerations of rare occurrences incident in many, if not all, instances to the necessary discipline of restraint of violent or maniacal patients;

That we welcome the investigation committee of the Legislature, and pledge ourselves to render to it every possible assistance in securing all obtainable information;

That the secretary of this meeting forward copies of this resolution to the Senator and Representatives from Tuscaloosa county, to the chairman of the committee on Investigation, and to the associated press.

W. E. Bingham, Druggist,

J. W. Abercrombie, President State University,

W. F. Fitts, Sr., Insurance Agent,

Rev. S. E. Wasson, Pastor M. E. Church,

Rev. L. O. Dawson, Pastor of Baptist Church,

L. H. Maxwell, Wholesale Grocer,

Dr. W. M. Faulk, Mayor of Tuscaloosa,

Henry Fitts, Lawyer,

F. G. Blair, President.

Tom Garner, Secretary.

Committee.

Which was ordered spread on the journal of the Senate.

Mr. Spragins offered the following resolution, to-wit

At a recent meeting of the Huntsville Business Men's Club, the following resolutions were adopted:

Whereas, the people of Alabama have heard with profound sorrow of the death of their faithful public servant, good friend and illustrious statesman, ~~Hon. John~~ Tyler Morgan, which took place in the city of Washington, D. C., on the night of the 11th of June, 1907;

And, whereas, we truly believe that no statesman of our country during the last forty years has rendered as much valuable aid, by his wise counsel, to the growth and development of the South as Senator Morgan; it is therefore mete and eminently proper and just that the Business Men's Club of the city of Huntsville, county of Madison, should with loving hearts and grateful pride testify to the world our high appreciation of the acknowledged virtues of this great American, and accord this feeble tribute of respect, friendship and love to the memory of a man who in all the walks of private and public life, illustrated his irreproachable honesty and purity of character, unselfish patriotism and devotion to public duty, a wise and patriotic statesman. Senator Morgan loved Alabama, her traditions, customs and habits were dear to his heart, and he rejoiced in our glorious future.

Therefore resolved, that in the death of Senator John Tyler Morgan, each citizen in Alabama feels a personal bereavement, and the State sustains an irreparable loss.

Resolved, further, that in his splendid career of many years, he ever bore aloft the banner of true democracy, emblazoned with the precepts of the fathers of our country and securely fortified by constitutional principles. That the rights of the southern States were secured by his unfaltering adherence to these principles and his courageous devotion to the teachings of southern statesmen; and the entire country felt the benefit of his unswerving faith in the republic and his able defense of the rights of the people against the onslaughts of political corruption in every form.

Resolved further, that in doing homage to his memory, we desire to show our gratitude for the life work of a noble man and distinguished statesman, whose labors were indefatigable in the cause of freedom and right, and who was a true servant of the people, believing that public office is a public trust, and that the highest duty of an American citizen is to devote himself unselfishly to the service of his State and of its people.

Resolved further, that in his long life he proved himself to be a great lawyer, a brave soldier, a true man, an able and honest statesman,—a peer of the greatest and wisest in a free republic. He lives no longer on earth, except by example. A long life, filled with beneficent services to the republic has closed and to him, the victor's crown of glory belongs.

Resolved further, that as a just and deserved tribute to the memory of Senator Morgan, we request Hon. R. E. Spragins, A. D. Kirby, and N. M. Rowe, our Senator and Representatives from Madison county, to ask at the present session of the Legislature of Alabama, that immediate steps be taken to have a statute of Senator Morgan placed by the State of Alabama in the Statuary Hall in the capitol at Washington; that a copy of these resolutions be spread on the minutes of this club and be forwarded to our Senator and Representatives at Montgomery and to his family.

Resolved further, that these resolutions be furnished each of our city papers for publication.

(Signed) R. E. Pettus,
William Richardson,
Lawrence Cooper,
Ben P. Hunt,
R. E. Spragins,
Committee.

Which was ordered spread on the journal

The lieutenant-governor laid before the Senate the following communication from his excellency, the governor:

Montgomery, July 18, 1907.

Lieutenant-Governor Gray,
Senate Chamber.

Dear Sir:—~~The enclosed copy of a letter will explain~~ itself. I referred this matter to the House and Senate for authority. Please let me have your instructions in the matter.

With regards, I am,

Yours very truly,

B. B. Comer.

To the Hon. B. B. Comer,
Governor of Alabama.

Dear Sir:

The Woman's Christian Temperance Union of Montgomery desire to present to the department of Archives and History a portrait of Francis E. Williard, of national fame as a temperance leader. Through her efforts Alabama has been blessed, and we feel that it would be an honor worthily bestowed. We, therefore, ask your influence, as governor of our State, to have it placed therein.

Most respectfully,

Mrs. J. B. Mell,
Pres. W. C. T. U.
Mrs. J. B. Chatfield,
Vice-Pres.

Which on motion was referred to committee on Rules.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker of the House having signed the following House bills and joint resolution your signature thereto is requested:

H. 752. To vacate and annul that part of Ninth street from the alley extending through blocks 228 and 229 on

which is the right of way of the Louisville and Nashville R. R., south to the alley extending east and west through blocks 268 and 269, and also that part of Seventh street that extends from the right of way of the Louisville and Nashville R. R., south to the right of way of the Southern Railway Company, in the town of North Birmingham, Alabama, as public streets or highways and to annul and extinguish the dedication thereof.

H. 176. To regulate the payment of claims against the fine and forfeiture fund of Talladega county.

H. 810. To establish a board of revenue for Houston county.

H. 757. To legalize and authoize the payment of certain warrants inadvertently and improperly issued by the commissioners' court of Monroe county against the fine and forfeiture fund of said county.

H. 766. To amend section 1 of an act approved February 15th, 1899, entitled an act to amend an act entitled an act to establish the Tuscaloosa county law and equity court, approved December 9th, 1896.

H. 551. To amend an act entitled an act to authorize and require the commissioners' court of Pickens county to set apart and appropriate money from the general fund of said county with which to pay and discharge certificates of State witnesses issued by the foreman of the grand jury and clerk of the circuit court of said county, fees which by law become a good claim against the fine and forfeiture fund of said county as hereinafter provided in section two of this act, and to regulate the manner of said payments and fixing the amount of said witness fee, approved December 13, 1900.

H. 817. To repeal an act entitled an act to provide a fund to be used exclusively for the support of a paid fire department in the city of Mobile, approved February 21st, 1889.

H. J. R. 266. Relative to the employment of a stenographer for the committee of investigation of the Alabama Insane Hospital.

H. 675. To provide for the relief of D. F. Brannan of Mobile county.

H. 135. To prohibit the shipment, transportation, delivery or soliciting of orders for the sale of any spirituous, vinous, malt or intoxicating liquors, beverages or bitters into any prohibition district in the State of Alabama.

H. 797. To require the commissioners' court of Marion county to advertise for bids for the building of public bridges and other public improvements for at least thirty days before same is let in some newspaper published in said county, and to provide for the manner of letting or receiving bids for same.

H. 224. To repeal an act entitled an act to increase the jurisdiction of justices of the peace in Marion and other counties, approved February 13th, 1891, so far as the same relates to Marion county.

H. 129. To repeal an act entitled an act to establish a board of police commissioners for the city of Bessemer, Alabama, to provide for the appointment of such commissioners, to define their powers and duties and to regulate the police department of the city, approved March 3rd, 1903.

H. 705. To change the boundary line of the incorporation of the town of Wilsonville in Shelby county, Alabama.

H. 774. To detach election precinct number nine (9) in St. Clair county, known as Ragland election precinct, from the Southern judicial division of the county and attach the same to and make it a part of the Northern judicial division of St. Clair county, and to confer jurisdiction with right to hear and try all causes, civil and criminal, arising in said election precinct on the circuit court, chancery court, probate court, county court, and commissioners' court of the Northern judicial division of said county with place of holding court at Ashville in said county in the same manner and to the same extent as if said election precinct had never been attached to and made a part of the Southern judicial division of St. Clair county.

Cyrus B. Brown,
Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read at length by the secretary, signed the above House bills and joint resolution, the titles of which are set out in the foregoing House message, the reading at length of said bills and joint resolution having been dispensed with by a two-thirds vote of a quorum of the Senate present.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bills and ordered same sent forthwith to the Senate without engrossment:

H. 1239. To empower the governor to suspend the collection of such portion of the general tax as may not be needed.

H. 1154. To amend section 9 of an act entitled an act to further amend the revenue laws of the State of Alabama, approved March 7th, 1907.

H. 1123. To exempt from taxation all the property, both real and personal, belonging to The Eastern Star.

H. 1151. To amend section 10 of an act to further amend the revenue laws of the State of Alabama, approved March 7th, 1907.

H. 1189. To amend section 8 of an act entitled "An act to further amend the revenue laws of the State of Alabama," approved March 7, 1907.

H. 987. To impose a tax of one dollar each year on all dogs in the State of Alabama, over four months of age, and provide for the collection of such tax and to provide that all live stock killed or injured and all damages done thereto shall be paid for out of the dog tax fund and to provide that the surplus left in the dog tax fund on the first day of March of each year shall be paid into the public school funds of the county in which said tax was collected.

H. 1211. To amend an act entitled an act to further amend the revenue laws of the State of Alabama.

H. 1205. To amend section 3915 of the Code as amended by an act entitled an act to better provide for the revenue of the State, approved March 4th, 1903.

H. 1113. To provide for holding one week of each ~~term of the circuit court of Geneva county at Hartford, Alabama; the prescribe the jurisdiction thereof, and~~ regulate the proceedings therein, and to provide a place for holding the same in said town.

And sends same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that application will be made to the adjourned session of the Legislature of Alabama, which convenes on the 9th day of July, 1907, for the passage of the following law:

AN ACT

To provide for holding one week of each term of the circuit court of Geneva county at Hartford, Alabama; to prescribe the jurisdiction thereof, and regulate the proceedings therein, and to provide a place for holding the same in said town.

Be it enacted by the Legislature of Alabama:

Section 1. That after the passage of this act one week of each term of the circuit court of Geneva county, Alabama, shall be held in the town of Hartford in said county at the place provided by the commissioners court of said county for the holding thereof.

Section 2. That all civil actions that are brought in the circuit court of said county where there is but one defendant, and such defendant resides on the East side of the Choctawhatchee river in said county, the suit must be in, and the summonses be made returnable to, the circuit court of said county at Hartford, and the cause shall be tried at Hartford.

Section 3. That in all civil cases that are brought in the circuit court of said county where there are more than one defendant to the cause, and one or more of said defendants reside on the east side of said river in said county, and one or more of said defendants reside on the west side of said river in said county suit may be brought against them in the circuit court of said county either at Geneva or Hartford, and the summonses against the defendants can be issued out of and made returnable to the circuit court of said county either at Geneva, or at Hartford.

Section 4. That whenever a person commits a crime, for which under the laws and rules of practice, he must be tried in the circuit court of said county, in the territory on the east side of said river in said county, he must be indicated by a grand jury sitting at Hartford, and must be tried in the circuit court at Hartford.

Section 5. That the clerk of the circuit court, and the sheriff of said county are hereby required to keep an office and reside or have a deputy at Hartford, and said offices shall be kept open for the transaction of business at all reasonable hours.

Section 6. That a grand and petit jury shall be drawn for each term of the circuit court to be held at Hartford in the same manner and by the same authority as grand and petit jurors are now drawn for the circuit court in said county; provided that all grand and petit jurors for the circuit court at Hartford must reside on the east side of said river.

Section 7. That all process that issues out of the circuit court of said county at Hartford, including executions, must be made returnable to the circuit court at Hartford.

Section 8. That all property sold under process of any kind issued from the circuit court of Hartford must be advertised and sold in Hartford.

Section 9. That the commissioners court of said county shall provide a suitable place in Hartford for the holding of the circuit court herein provided for.

Section 10. That after the passing of this act no person residing on the east side of said river shall be re-

quired to serve on the grand or petit jury of the circuit court at Geneva, and no person residing on the west side of said river shall be required to serve on the grand or petit jury at Hartford.

Section 11. That the circuit court of Geneva county to be held at Hartford shall commence on the fifth Monday after the first Monday in March and in September of each year and may continue one week.

Section 12. That the circuit court of Geneva county at Hartford shall not have jurisdiction to try a person for a crime committed in the territory on the west side of the Choctawhatchee river in said county and shall not have jurisdiction of any civil cause where the defendants or any of them reside in the territory of said county on the west side of the Choctawhatchee river except as provided in section three, of this act.

G. A. Ward,
W. H. Bishop,
M. H. Metcalf,
J. C. Holman,
W. F. Clemmons.

The State of Alabama, }
Geneva County. }

Before me, W. M. Jerkins, a notary public in and for said county, personally came J. F. McCants, who being duly sworn, says, that he is the editor and publisher of the Hartford Times Herald, a newspaper published in Hartford, in said county, and that said Hartford Times Herald is a newspaper published in said county, and that the attached notice was published once a week for four consecutive weeks, in said newspaper, before the making of this affidavit.

J. E. McCants.

Sworn to and subscribed before me this 6th day of July, 1907.

W. M. Jerkins, Notary Public.

H. 1114. To provide for holding a part of the county term of the circuit court of Geneva county at Hartford, Alabama; to prescribe the jurisdiction thereof, and regulate the proceedings therein, and to provide a place for holding the same in said town.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that application will be made to the adjourned session of the Legislature of Alabama, which convenes on the 9th day of July, 1907, for the passage of the following law:

AN ACT

To provide for holding a part of the county court of Geneva county, Alabama, at Hartford, in said county; to prescribe the jurisdiction thereof and regulate the proceedings therein.

Be it enacted by the Legislature of Alabama:

Section 1. That after the passage of this act a term of the county court of Geneva county, Alabama, shall be held at Hartford in said county each month.

Section 2. That each term of said court shall commence on the third Monday in each month, and may continue in session two weeks.

Section 3. That in all civil cases in which said court has jurisdiction, and where there is only one defendant, and such defendant resides in the territory of said county on the east side of the Choctawhatchee river, the suit must be brought in and the summons made returnable to said court at Hartford and be tried there.

Section 4. That in all civil cases in which said court has jurisdiction, and where there is more than one defendant to such causes, and one or more of such defendants reside in the territory of said county on the east side of said Choctawhatchee river, and one or more of such defendants reside in the territory on the west side of said Choctawhatchee river, then the suit may be

brought and the summonses made returnable to said court either at Geneva or at Hartford.

Section 5. That all persons who violate the criminal law in the territory on the east side of the Choctawhatchee river in said county of which said court has jurisdiction shall be tried in said court at Hartford in said county.

~~Section 6. That all appeals from the courts of jus-~~
tices of the peace or notaries public exercising the powers of a justice of the peace, and all writs of certiorari to remove judgments rendered by justices of the peace or notaries public exercising powers of a justice of the peace who resides and hold their courts in the territory on the east side of the said Choctawhatchee river in said county, shall be made returnable to said county court of Geneva county at Hartford and be there tried.

Section 7. That all appeals from judgments of conviction rendered by justices of the peace or notaries public exercising the powers of a justice of the peace, taken to said county court of Geneva county, shall be taken and made returnable to said county court of Geneva county at Hartford and be there tried.

Section 8. That all justices of the peace or notaries public exercising the powers of a justice of the peace who issue warrants for a misdemeanor of which he has no final jurisdiction where the offense for which said warrant is issued was committed in the territory of said county on the east side of the Choctawhatchee river shall make such warrants returnable to said county court of Geneva county at Hartford and the case for which said warrants was issued shall be tried at Hartford.

Section 9. That all indictments perferred by the grand jury of the circuit court of said county of Geneva at Hartford for misdemeanors must be returned by the clerk of the said court to the judge of said county court of Geneva county at Hartford, and the same proceedings shall be had thereon in said county court at Hartford as are had on indictments found by the grand jury of the circuit court of Geneva county at Geneva, and which are returned by the clerk of the circuit court to

the judge of the county court of Geneva county at Geneva.

Section 10. That any person who is a party to a civil cause in said county court of Geneva at Hartford shall be entitled to and procure a jury to try his case under the same condition and in the same manner as parties now have and procure juries for the trial of their cases who have civil cases in said county court of Geneva at Geneva.

Section 11. That any person who has a criminal prosecution pending against him in said county court of Geneva county at Hartford shall be entitled to and procure a jury under the same condition and in the same manner as parties now have and procure a jury for the trial of their cases who have a criminal prosecution pending against them in said county court of Geneva at Geneva.

Section 12. That said county court of Geneva county at Hartford shall be held in the house or building provided by the county commissioners' court of Geneva county for holding such term of the circuit court of said county at Hartford.

Section 13. That the county court of Geneva county at Hartford shall not have jurisdiction to try a person for a crime committed in the territory on the west side of the Choctawhatchee river in said county and shall not have jurisdiction of any civil cause where the defendants or any of them reside in the territory of said county on the west side of the Choctawhatchee river, except as provided in section four of this act.

G. A. Ward,
W. H. Bishop,
M. H. Metcalf,
J. C. Holman,
W. F. Clemmons.

The State of Alabama, }
Geneva County. }

Before me, W. M. Jerkins, a notary public in and for said county, personally came J. F. McCants, who being duly sworn, says, that he is the editor and publisher of

the Hartford Times Herald, a newspaper published in Hartford, in said county, and that said Hartford Times Herald is a newspaper published in said county, and that the attached notice was published once a week for four consecutive weeks, in said newspaper, before the making of this affidavit.

J. E. McCants.

Sworn to and subscribed before me this 6th day of July, 1907.

W. M. Jerkins, Notary Public.

H. 1129. To encourage the development of the various unused water powers in this State by exemptions from taxation for a period of ten years.

H. 1130. To encourage the manufacture of calcium cyanamid (lime of nitrogen) in this State, by exemptions from taxation for a period of ten years.

H. 427. To appropriate four thousand dollars to the Plantersville High School at Plantersville, Dallas county, Alabama, and to provide that the governor of Alabama be ex-officio a member of the board of trustees, and provide for the appointment by the governor of five other trustees.

And sends the same to the Senate.

H. 890. To further prescribe the official duties of the deputy solicitor of Bibb county, Alabama.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE EXHIBIT "A."

Notice is hereby given that at the present session of the legislature of Alabama when same reconvenes in July 1907, a bill will be introduced as follows:

Sec. 1:—Be it enacted by the legislature of Alabama that from and after the passage of this act that it shall be the duty of the deputy solicitor of Bibb county, Alabama, whenever requested, to do so by the circuit court, to be present at the session of the grand juries of Bibb county, Ala., and perform all the duties before such

grand juries as now required by law of the circuit solicitor.

Sec. 2:—Be it further enacted that all the acts of such deputy solicitor when with the grand juries of Bibb county, Alabama, shall be as valid as if performed by the circuit solicitor.

Sec. 3:—Be it further enacted that all laws or parts of laws in conflict with this act are hereby repealed.

The State of Alabama, }
Bibb County. }

Before me, R. L. Avery, clerk of the circuit court of Bibb county, Alabama, personally appeared L. H. Nunnellee, who being by me first duly sworn says on oath that he is publisher of the Centreville Press, a newspaper published in Bibb county Alabama, and that the above and foregoing notice attached to this paper and marked exhibit "A" was published in the Centreville Press for four consecutive weeks.

L. H. Nunnellee,
Publisher of Centreville Press.

Sworn to and subscribed before me this 8th day of July, 1907.

R. L. Avery,
Clerk of Circuit Court.

H. 899. To validate claims against Clay county, Alabama, for work and labor and material or supplies furnished said county under provisions of the recent Clay county road law, which has been declared unconstitutional, and authorize the commissioners' court to audit and allow such claims as preferred claims against the general fund of said county, and direct payment of same.

NOTICE.

Notice is hereby given that a bill will be introduced at the present session of the Legislature of Alabama the substance of which is to validate the claims of persons, for work done or material furnished for Clay county under the provisions of the recent local road law of said county, which has been declared unconstitutional and to

authorize and direct the court of county commissioners of said county to audit and allow same, and direct payment of same as preferred claims out of the general fund of Clay Co.

The State of Alabama, }
Clay County. }

Before me, S. Y. Lamberth, clerk of the circuit court of Clay county, Alabama, on this 6th day of July, 1907, personally appeared T. B. Jordan, who being duly sworn, deposes and says that he is the publisher of The Standard, a newspaper published each week at Ashland, in Clay county, Alabama, and he further deposes and says that the accompanying attached notice has been published for four consecutive weeks in said newspaper, published in Clay county, Alabama; said notice being published in the following issues of said paper: June 14, 1907; June 21, 1907; June 28, 1907; and July 5th, 1907. This July 6th, 1907. T. B. Jordan.

Sworn to and subscribed before me this July 6th, 1907. S. Y. Lamberth,

Clerk of the Circuit Court of Clay County, Alabama.

H. 1063. To amend section 11 of an act "to regulate the trial of misdemeanors in Sumter county" approved December 8th, 1882.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Take notice that an act will be introduced in the Legislature of Alabama to amend section 11 of the act to regulate the trial of misdemeanors in Sumter county approved December 8th, 1882, so as to fix the compensation of the deputy solicitor at \$750 per annum, and to collect and retain for his services the fees and commissions earned by him in the county court of Sumter county during the year, not to exceed \$750 per annum.

The State of Alabama, }
 Sumter County. }

Before me James A. Mitchell, a notary public in and for said county and State, personally appeared W. H. Lawrence who being by me duly sworn says on oath that he is the editor and proprietor of "Our Southern Home," a weekly newspaper published in Livingston, Sumter county, Alabama, and that the notice hereto attached was published in said paper once a week for four consecutive weeks.

W. H. Lawrence.

Sworn to and subscribed before me this the 5th day of July, 1907.

James A. Mitchell, Notary Public.

H. 901. To authorize the court of county commissioners of Clay county, Alabama, to pay, annually, on claims for public roads and bridges, an amount, out of the general fund of said county, not to exceed one-fifth of said general fund, levied and collected in any one year.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

Notice is hereby given that a bill will be introduced in the present Legislature of Alabama for the passage of an act the substance of which is to authorize the court of county commissioners of Clay county, Alabama, when deemed necessary by said court to pay annually on claims for public roads and bridges out of the general funds of said county an amount not to exceed one-fifth (1-5) of said general fund levied and collected in any one year.

The State of Alabama, }
 Clay County. }

Before me, S. Y. Lamberth, clerk of the circuit court of Clay county, on this July 6th, 1907, personally appeared T. B. Jordan, who being duly sworn, deposes and says that he is the publisher of The Standard, a newspaper published each week at Ashland, in Clay county, Alabama, and he further deposes and says that the ac-

companying attached notice has been published in said newspaper, published in Clay county, Alabama; said notice being published in the following issues of said paper: June 14, 1907; June 21, 1907; June 28, 1907; and July 5th, 1907. This July 6th, 1907. T. B. Jordan.

Sworn to and subscribed before me this July 6, 1907.

~~S. Y. Lamberth,~~

Circuit Clerk, Clay County, Alabama.

H. 1061. To authorize the court of county commissioners of Sumter county to use any money in the county treasury not otherwise appropriated for the purpose of employing detectives or secret service men to ferret out and detect violations of the prohibition laws of said county.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

To Whom it May Concern:

Notice is hereby given that the following bill will be introduced in the next session of the Legislature of Alabama, viz:

A BILL

To be entitled a bill to authorize the court of county commissioners of Sumter county to use any money in the county treasury not otherwise appropriated for the purpose of employing detectives or secret service men to ferret out and detect violations of the prohibition laws of said county.

Section 1. Be it enacted by the Legislature of Alabama, That the court of county commissioners of Sumter county is hereby authorized and empowered to use any money in the county treasury of said county not otherwise appropriated for the purpose of employing detectives or secret service men to ferret out and detect violations of the prohibition law of said county.

Section 2. Be it further enacted, That all laws and parts of laws in conflict with this act be and the same are hereby repealed.

The State of Alabama, }
Sumter County. }

Before me, Thos. F. Seale, a notary public and Ex-officio justice of the peace in and for said State and county personally appeared C. H. Allen, who being duly sworn deposes and says that he is editor and publisher of the Sumter County Sun, a weekly newspaper published in Sumter county, Alabama, and that the publication of a certain notice, of which the foregoing is a true copy, has been made in said newspaper for four consecutive weeks to-wit: On the 3rd day of January, 1907, on the 10th day of January, 1907, on the 17th day of January, 1907, and on the 24th day of January, 1907.

C. H. Allen.

Sworn to and subscribed before me, this the 6th day of July, 1907.

Thos. F. Seale,
N. P. & Ex-Off. J. P.

H. 876. To divide St. Clair county into two chancery districts, to provide for holding court therein, to authorize the appointment of a register for each of said districts, and to prescribe his duties.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

The State of Alabama, }
County of St. Clair. }

To whom it may concern:

Take notice that the undersigned will cause to be introduced in the next Legislature of Alabama, a bill affecting the interests of the people of St. Clair county, and the substance of the proposed law as follows:

AN ACT

To divide St. Clair county into two chancery districts, to provide for holding court therein, to authorize the appointment of a register for each of said districts, and to prescribe his duties.

~~Sec. 1. Be it enacted by the Legislature of Alabama,~~
That the territory lying within precincts numbers 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20 and 21 of St. Clair county shall constitute and shall be known and called the southern chancery district of St. Clair county and the territory embraced in the remaining precincts of St. Clair county as now constituted and laid off, and not embraced in the precincts hereinbefore named, shall constitute, and be known and called the northern chancery district of St. Clair county, and the said chancery district shall be a part of the northeastern chancery division of Alabama.

Sec. 2. That there shall be held each year two terms of chancery court for said northern chancery district of St. Clair county at Ashville in the court house of said county at the times now provided by law for the holding of the chancery court of said county, and at each term may continue three days; that there shall be held each year two terms of chancery court for said southern chancery district of St. Clair county at Pell City in the building provided by the court of county commissioners of said county as follows: On the fourth Monday in February and August, and at each term may continue three days.

Sec. 3. That special term of chancery court may be held for each of said chancery districts in the manner now provided by law for holding special terms of the chancery court in this State.

Sec. 4. That the chancellor of the northeastern chancery division of Alabama shall appoint a register for each of said chancery districts, who shall hold office during the term of such chancellor, and who shall perform the same duties as are required by law of registers in chancery in this State.

Sec. 5. That all suits and proceedings now pending in the chancery court of St. Clair county which might after the passage of this act be brought in the southern chancery district of St. Clair county, may be transferred by consent of all parties to the said southern chancery district of St. Clair, as constituted by this act, and there disposed of in the same manner and with like effect as if the same had been instituted therein, and except as above provided, all suits and proceedings pending in the chancery court of St. Clair county holding at Ashville shall there remain and be disposed of by the chancery court of the northern district of St. Clair county.

Sec. 6. That the court of county commissioners of St. Clair county shall, at the expense of said county furnish to the said registers in chancery all needful books, papers, furniture and equipment for holding said court in both of said districts and for keeping a record of the minutes and proceedings thereof and of the causes pending therein, and such records, books and papers shall be open to the free inspection of all persons at all reasonable hours.

J. L. North,
F. R. Mathews,
Victor H. Smith,
McLane Tilton, Jr.

The State of Alabama, }
St. Clair County. }

Personally appeared before me, Victor H. Smith, a notary public in and for said county and State, Bays D. Cather, who is known to me, and who being first by me duly sworn, on oath says: That he is editor and publisher of the St. Clair Herald and Coosa Valleyan, that it is a newspaper published once a week in the town of Pell City, in said State and county; and that he has knowledge of the facts herein deposed to; that the attached notice of a proposed bill to divide St. Clair county into two chancery districts, to provide for the holding courts therein, to authorize the appointment of a register for each of said districts, and to prescribe his

duties, was published once a week in said newspaper for four consecutive weeks, commencing with the issue of December 20th, 1906, and including the issue of January 10th, 1907, of said newspaper, and before the making of this affidavit.

Bays D. Cather.

Sworn to and subscribed before me this the 25th day of February, 1907.

Victor H. Smith,

Notary Public.

H. 902. To provide for the collection and disbursement of proceeds appropriated by law to the public schools of Coffee county from the dispensaries of said county.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that at the session of the Legislature that convenes on the 8th day of January, 1907, application will be made for the passage of a law that will provide a county board to compose of three householders of Coffee county, said board to be known as the county dispensary board; to provide for their selection, term of office and compensation, and to provide their duties which shall be in substance as follows: To collect or receive the proceeds from the dispensaries that shall be appropriated by law to the public schools of Coffee county to pay the same over to the trustees of such districts in proportion to the number of children in each district; to select a treasurer from among themselves and to require a bond for the faithful performance of his duties.

To provide that the following named men shall constitute the said board, W. C. Jones, C. E. Roberts and T. J. Moseley, and their successors shall be elected by the court of county commissioners of Coffee county.

To provide that the commissioners of the respective dispensaries in Coffee county shall pay to the said board whatever proportion of the net proceeds that has been or may be appropriated by law to the public schools.

To provide in what manner the money shall be spent by the district trustees for the benefit of the schools.

To repeal all laws or parts of laws in conflict with this act.

The State of Alabama, }
County of Montgomery. }

Before me, R. G. Arrington, a notary public, in and for said State and county, personally appeared R. H. Arrington, who being by me first duly sworn, doth say on his oath, that the notice hereto attached marked "Exhibit A" relating to the establishment of a dispensary board for Coffee county and providing for the distribution of the proceeds appropriated to the public schools of Coffee county from the dispensaries of said county, was published, without cost to the State, for four consecutive weeks, next before the making of this affidavit, in the People's Ledger, a newspaper published at Enterprise, Coffee county, Alabama, and that the said newspaper has been published and issued regularly in weekly editions for the last twelve months.

R. H. Arrington.

Sworn to and subscribed before me, this 18th day of February, 1907.

Robt. G. Arrington,
Notary Public.

H. 951. To vacate and annul Fifth street between Second and Third avenues; Third avenue between Fourth and Sixth streets; the alley extending north and south in block eleven, and the alley running east and west in block eleven in the Pratt Land & Improvement Company's survey of East Thomas, Jefferson county, Alabama.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that a bill will be introduced in the next legislature of Alabama, to vacate and annul

and to annul and extinguish the dedication of the following streets, avenues and alleys, in the Pratt Land and Improvement Company's survey of East Thomas, in Jefferson county, Alabama, a map of which survey is recorded in the office of the probate judge of said county, in map book 4, on page 53, viz: Fifth street between ~~Second and Third avenues~~, Sixth street between Second and Third avenues, Third avenue, ~~between Fourth and Fifth streets~~, the alley running north and south in block 11, and the alley running east and west in said block 11, of said survey, and also that part of the alley running north and south in block 7, south of the Birmingham Southern Railroad, and that part of the alley running east and west in block 7, west of the Birmingham Southern Railroad in said survey.

H. 133. To amend an act entitled "An act to establish an inferior court in precincts 21 and 37 in Jefferson county, Alabama, in lieu of all justices of the peace and notaries public with powers of justices of the peace in said precincts and to define the jurisdiction and powers of said court and the judges thereof," approved September 26th, 1903.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Jefferson County. }

Before me the undersigned authority, personally appeared Edgar W. Jones, editor of the Jones Valley Times, a weekly newspaper published in Birmingham, Jefferson county, Alabama, who being duly sworn on oath says, that the attached notice was published in the Jones Valley Times, four consecutive weeks, being contained in the issues of December 20th, 1906, December 27th, 1906, January 3rd, 1907, January 10th, 1907, and January 17, 1907.

E. W. Jones.

Subscribed and sworn to before me this 8th day of July, 1907.

L. J. Haley, Jr., Notary Public.

NOTICE.

To whom it may concern:

Take notice at the next session of the Legislature of Alabama a bill will be introduced to amend an act entitled "An act to establish an inferior court in precincts 21 and 37 in Jefferson county, Alabama, in lieu of all justices of the peace and notaries public with powers of justices of the peace in said precincts and to define jurisdiction and powers of said court and the clerks and judges thereof," approved Sept. 28, 1903, the substance of said amendment being:

1. To give to the judges of the said court the same jurisdiction and authority of the justices of the peace.

2. Providing for a salary for said judges \$125.00 each month or \$1,500.00 each year.

4. Creating the office of "clerk of the inferior court of Birmingham—First division," and "clerk of the inferior court of Birmingham—Second division," and "deputy clerk of the inferior court of Birmingham—First division," and "deputy clerk of the inferior court of Birmingham—Second division," for their duties and fixing the salaries of the said clerks at \$85.00 each month or \$1,020.00 a year and the salary of the said deputy clerks at not more than \$600.00 a year, to be paid out of the county treasury of Jefferson county; and the term of said clerks, and abolishing the present office of clerk and deputy clerk.

5. Providing for the exclusive jurisdiction of the said inferior court as against justices of the peace and notaries public, over all civil cases, except assault and battery, slander and libel and ejectment, when the defendant resides in precincts 21 or 37, or in the city of Birmingham, in Jefferson county, except in cause of actions which arose in or contracts which were made in the precinct of said justices of the peace or notaries public, and providing that the judges of said court may restrain any plaintiff, his agent or attorney, who brings a suit before any justice of the peace or notary public of said county against a defendant who resides in the precincts 21 or 37 or in the city of Birmingham, in Jefferson

county, except in case the cause of action arose or the contract was made or one of the defendants resides in the precinct of said justice or notary public provides for the order of dismissal of said wrongful suit, and for punishment for disobedience of said orders, and the right to appeal from said orders.

~~6. Providing for the registering and filing of judgments and decrees for \$50.00 or over in the office of the judge of probate, and making such judgment when filed and registered a lien upon the property of the defendant subject to levy and sale under execution for six years.~~

7. Defining the term of the court, and giving the right to vacate or modify its judgment.

8. Providing that the board of revenue shall provide suitable rooms, necessary dockets and books, and supplies and the payment of the rent and other incidental expenses of the said court.

9. Providing for the appointment of a special judge in case of sickness, disqualification or inability of the regular judge, and his compensation.

10. Providing for the appointment of a special constable in case of emergency, and that said constable is authorized to execute all processes other than the levying and collecting of all executions or attachments, or writs of detinue without giving bond, and providing that such special constables shall give bond prior to the levying or collecting of executions, attachments or writs of detinue, providing that the amount and condition of said bond and how approved.

11. Providing that summons and complaint be executed by leaving a copy of the same with the defendant.

12. Providing for the increase of salary for the judges, who shall not receive more than \$1,820.00 per annum.

A. L. Oberdorfer.

The State of Alabama, }
Jefferson County. }

This day personally appeared before me, the undersigned authority, J. S. Chadwick of Alabama Christian Advocate, a corporation, who, being by me duly sworn, says on oath: I am the editor and business manager of

the Christian Advocate, having charge of the advertising in said newspaper published during the year 1906 and preceding years in the city of Birmingham, Jefferson county, Alabama, by Alabama Christian Advocate, a corporation; that the annexed or foregoing notice or advertisement signed, "A. L. Oberdorfer," was published and appeared in said Alabama Christian Advocate on the following dates, viz.: On Dec. 6th, 1906; on Dec. 13th, 1906; on Dec 10th, 1906; and on Dec. 27th, 1906, and that said publication hereto annexed was made for four consecutive weeks and on said dates; and that it is the duty of this affiant to know what advertisements and notices are published in said Alabama Christian Advocate.

(Signed) J. S. Chadwick,
Editor and Business Manager.

Subscribed and sworn to before me this — day of January, 1907.

Clarence B. Ballard,
Notary Public.

H. 917. To prohibit the sale or otherwise disposing of spirituous, vinous, or malt liquors, intoxicating drinks, bitters, or beverages, in Dale county, Alabama.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that application will be made at the reconvening of the present session of the Legislature of Alabama, for the passage of a local law, to become operative and effective on and from the first day of January, 1908, to prevent the sale or otherwise disposing of spirituous, vinous or malt liquors, intoxicating drinks, bitters, or beverages within Dale county, Alabama. This June 4th, 1907.

Wm. Garner,
L. W. Kolb,
J. R. Levy,
C. L. Matthews,
O. C. Doster.

The State of Alabama, }
 Dale County. }

Before me, James R. Levy, clerk of the circuit court, for said State and county, personally appeared John Q. Adams, who being by me duly sworn, says, that he is the associate editor and publisher of The Southern Star, a newspaper published at Ozark, Dale county, Alabama; ~~that said paper is published weekly, and that the print~~ ed notice hereto attached has been published in the said paper for four consecutive weeks prior to the date hereof; that the said notice was published the first time in the said paper on the 5th day of June, 1907; the second time, June 12th, 1907; the third time, June 19th, 1907, and the fourth time, June 26th, 1907; that he has personal knowledge of same, and knows the same to be as stated herein.

John Q. Adams,
 Associate Editor and Publisher of The Southern Star.

Sworn to and subscribed before me this 28th day of June, 1907.

J. R. Levy,
 Clerk of Circuit of Dale County.

H. 1007. For the relief of T. J. East, a one-legged, disabled, ex-confederate soldier, in accordance with an act as approved February 10th, 1899, for the relief of needy confederate soldiers and sailors, resident citizens of Alabama, and their widows.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

AN ACT

For the relief of Thos. J. East, a one-legged, disabled, ex-confederate soldier, in accordance with an act as approved February 10th, 1899, for the relief of needy confederate soldiers and sailors, resident citizens of Alabama, and their widows.

Requiring the probate judge of Randolph county to place or cause to be placed the name of Thos. J. East on the pension list of the ex-confederate soldiers of the county of Randolph.

Sec. 1. Be it enacted by the Legislature of Alabama, That for the year 1907, the probate judge of Randolph county shall place or cause to be placed on the roll of ex-confederate soldiers receiving a pension under the laws of Alabama as approved Feby. 10th, 1899, the name of Thos. J. East, who is a one-legged ex-confederate soldier, well approved, residing in Randolph county, and to be continued on the list of pensions from year to year in class 2 during his natural life, causing him to receive the amount now appropriated for said class or that may hereafter be appropriated and received by class 2 in the State of Alabama.

Sec. 2. Be it further enacted, That all laws and parts of laws in conflict with the provisions of this act, as they may apply to Thos. J. East, are hereby repealed.

The above act will be introduced at the adjourned term of the Legislature of Alabama of 1907.

Roanoke, Randolph County, Alabama, July 5, 1907.

Before me, S. C. Faucett, a notary public in and for said county and State, this day personally appeared O. H. Stevenson, who, being duly sworn, deposeth and saith that he is publisher of the Roanoke Leader, a newspaper published in Roanoke, Randolph county, Alabama, and that the accompanying notice of a bill for the relief of T. J. East was published in the said Roanoke Leader for four consecutive weeks, including the dates of May 29, June 5, June 12, and June 19, 1907.

(Signed) O. H. Stevenson.

(Publisher Roanoke Leader.)

Sworn to and subscribed before me this 5th day of July, 1907.

S. C. Faucett.

Notary Public.

H. 952. To alter and rearrange the boundary lines and corporate limits of the town of Elyton, Jefferson county, Alabama.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

LEGAL NOTICE.

"EXHIBIT A."

Notice is hereby given of the intention to introduce at the present session of the legislature of Alabama on reconvening in July, and seek to have enacted into law, a bill, the substance of which will be to alter and rearrange the boundaries of the town of Elyton, so as to embrace and include the following territory, to-wit:

All that certain territory in Jefferson county, Alabama, bounded as follows: On the east by the east line of section 11, township 18, range 3 west, and the city of Birmingham, on the north by the city of Birmingham and the town of Graymont, on the west by the town of West End, and on the south by the center line of the south half of sections 9, 10 and 11, township 18, range 3 west, running east and west.

F. W. Smith, Intendent.

The State of Alabama, }
Jefferson County. }

Personally appeared before me, Frank W. Smith, a notary public in and for said county and State, J. H. F. Mosley, who being by me first duly sworn, on oath says, that he is manager and editor of the "Labor Advocate." That the said "Labor Advocate" is a newspaper published in Birmingham, Jefferson county, Alabama, and that the town of Elyton and the territory embraced in the notice hereto attached, is situated in Jefferson county, Alabama. That the notice hereto attached and marked "Exhibit A" was published in the said "Labor Advocate" once a week, in the following issues of said paper, to-wit: June 14, 21, 28, and July the 5, all in 1907.

J. H. F. Mosley.

Sworn to and subscribed before me this the 8th day of July, 1907.

Frank W. Smith, Notary Public.

H. 1023. For the relief of J. S. Baker, a confederate pensioner of Tallapoosa county.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Is hereby given that I will apply to the Alabama Legislature for the passage of a law providing that J. S. Baker, who is a citizen of Tallapoosa county, who was a confederate soldier, who was on the pension rolls in this State, and drew a pension up to and including the year 1905, and who by mistake, without his knowledge or consent, was reported dead, dropped from the roll and failed to draw his pension in 1906, be paid a pension of \$30.00 out of the State treasury.

April 18, 1907.

Thos. L. Bulger.

The State of Alabama, }
Tallapoosa County. }

Before me, P. S. Christian, a justice of the peace in and for said State and county, personally appeared F. O. Hooton, who being by me first duly sworn, says on oath that he is the proprietor and editor of the Alexander City Outlook, a weekly newspaper published at Alexander City in said county and State, that the above and foregoing notice which is attached to this affidavit was published in said Alexander City Outlook once a week for four consecutive weeks.

F. O. Hooton.

Subscribed and sworn to before me this the 25th day of June, 1907.

T. S. Christian,

Justice of the Peace, Tallapoosa County, Ala.

H. 1012. For the relief of Mary A. Gallaway, widow of an ex-confederate soldier, being a resident of Shelby county, Alabama. Whereas, Mary A. Gallaway has long been on the pension rolls of Shelby county, Alabama, but for the year 1905, her name was dropped from said roll through mistake.

And send the same to the Senate, with notice and proof attached, and herewith exhibited as follows:

NOTICE.

Notice is hereby given that a bill be introduced in the Legislature asking an appropriation of \$30.00 to Mrs. ~~Mary A. Galloway, of Shelby county,~~ as a confederate pensioner for the year 1905, her name having been erroneously omitted from the list of pensioners for that year. This 8th day of February, 1907.

R. E. Galloway.

PROOF OF PUBLICATION.

H. E. Whitaker, being duly sworn, says he is publisher of the Columbiana Sentinel, a weekly paper published in Columbiana, Shelby county, Alabama, and that the attached notice was published in said Columbiana Sentinel, for four successive weeks, bearing dates February 14, 21, 28, and March 7, 1907.

(Signed) H. E. Whitaker,
Editor Columbiana Sentinel.

Sworn to and subscribed before me this 30th day of March, 1907.

Wales W. Wallace,
Notary Public.

H. 920: To amend section nine of an act entitled an act to authorize all incorporated towns and cities in Elmore county to establish and operate dispensary or dispensaries in such incorporated towns or cities, for the purpose of buying and selling spirituous, vinous or malt liquors, and to provide for the distribution of certain profits arising therefrom, and to further regulate or prohibit the selling of such liquors in such county, approved February 9, 1907.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

Notice is hereby given that there will be introduced in the Legislature of Alabama, at the present session, to-wit, the session of 1907; a bill to be entitled:

An act to amend section nine of an act entitled an act to authorize all incorporated towns and cities in Elmore county to establish and operate dispensary or dispensaries in such incorporated towns or cities, for the purpose of buying and selling spirituous, vinous or malt liquors, and to provide for the distribution of certain profits arising therefrom, and to further regulate or prohibit the selling of such liquors in such county, approved February 9, 1907, so that said section 9 shall read as follows:

Section 9. The dispenser shall buy and sell for cash only. He shall keep an accurate account of his purchases and the amount of each day's sales. He shall make to the legislative body of the town or city in which he is conducting a dispensary, and to the probate judge itemized monthly reports, giving full and accurate information as to the condition, expenses, profits, losses and status of the business. He shall make other and additional reports, oral or in writing, whenever and as often as the legislative body of his town or city, or any member of said body may require. Subject to the provisions of this act, such legislative body shall regulate and control the conduct and management of said business. On the 30th day of September of each year, beginning with the 30th day of September of the year in which said dispensaries shall be established said cities and towns doing business under this act shall pay to the county superintendent of education of said county fifty per cent. of the net profits of the several dispensaries, after deducting all the expenses of operating the dispensaries. The county superintendent of education of said county shall apply the funds so received by him to the township and district schools in said county in the same proportion as the public school fund of the State is distributed.

Lamar C. Smith.

The State of Alabama,)
Elmore County. }

Before me, B. K. McMorris, a notary public in and for said county in said State, personally appeared H. R. Golson, who is known to me, and who is known to me to

be the editor of The Weekly Herald, a newspaper published in Elmore county, Alabama, and who, being by me first duly sworn, deposes and says that he is the editor of The Weekly Herald; that the said Weekly Herald is a newspaper published in Elmore county, Alabama, and that the following notice attached to this affidavit was published once a week for four consecutive weeks in the said Weekly Herald.

H. R. Golson,
Editor of the Weekly Herald.

Sworn to and subscribed before me on this, the 6th day of July, 1907.

B. K. McMorris,
Notary Public.

H. 1039. To authorize the court of county commissioners of Wilcox county to borrow money, not exceeding one-half of the county revenue of said county per annum.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that at this session of the Legislature of Alabama, a bill will be introduced the substance of which will be to authorize the county of Wilcox to borrow money, not exceeding the county revenue of said county per annum in the discretion of the court of county commissioners of said county.

The State of Alabama, }
Wilcox County. }

Camden, Ala., July 13th, 1907.

Personally appeared before me, W. J. Bonner, a notary public for Wilcox county and State aforesaid, J. T. Foster, known to me as editor of the Wilcox Banner, who being duly sworn, deposes and says that he is editor and proprietor of the Wilcox Banner, a paper published weekly in the town of Camden, Wilcox county, Ala., and that the attached notice as to ----- was published for four consecutive weeks in said paper be-

ginning on the 24th day of January, 1907, and ending on the 14th day of February, same year.

J. T. Foster.

Sworn to and subscribed before me this 15th day of June, 1907.

W. J. Bonner,
Notary Public.

H. 904. To prohibit and punish the selling, bartering or exchanging of spirituous, vinous or malt liquors, or intoxicating drinks, in the county of Colbert, after the first day of August, 1907, except in dispensaries located in the cities of Tuscumbia and Sheffield, and the towns of Leighton and Cherokee, in said county, and to allow the sale of grape wine under certain conditions.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

When the Legislature of Alabama reconvenes in session on July 9th, 1907, a bill in substantially the following language, will be introduced and passed:

A BILL

To be entitled an act, to prohibit and punish the selling, bartering or exchanging of spirituous, vinous or malt liquors or intoxicating drinks in the county of Colbert, after the first day of August, 1907, except in dispensaries located in the cities of Sheffield and Tuscumbia, and the towns of Leighton and Cherokee, in said county, and to allow the sale of grape wine under certain conditions.

Section 1. Be it enacted by the Legislature of Alabama, That it shall be unlawful to sell, barter or exchange spirituous, vinous, or malt or intoxicating drinks in the county of Colbert after the first day of August, 1907, except in dispensaries located in the cities of Tuscumbia and Sheffield, and the towns of Leighton and

Cherokee. Nothing in this act, however, shall prevent the sale on their own premises of grape wine, manufactured from pure grape juice, in quantities not less than a quart, by persons who have manufactured the same from grapes grown on the premises of the seller where no part of the same is drunk on or about the premises.

Section 2. Any person violating the provisions of this act shall be guilty of a misdemeanor and on conviction shall be fined not less than ~~\$30.00~~ nor more than \$500.00 and shall be sentenced to hard labor for the county for not less than one year. This 3rd day of June, 1907.

A. H. Carmichael.

The State of Alabama, }
Colbert County. }

Before me, John W. Johnson, a notary public in and for said county and State, personally appeared John W. Davis, who, being by me duly sworn, deposeth and saith, that he is editor and proprietor of the Tuscombiana Dispatch, a newspaper published in Colbert county, Alabama, and that the above and foregoing notice of proposed legislation to amend the act establishing dispensaries at certain places in Colbert county was published in the said newspaper once a week for four consecutive weeks beginning on June 3rd, 1907.

Jno. W. Davis.

Sworn to and subscribed before me on this the 6th day of July, 1907.

Jno. W. Johnson,
Notary Public.

H. 973. To amend section two (2) of an act entitled "An act to amend an act entitled an act to create the office of revenue constable for Mobile county and to prescribe his duties, approved February 24th, 1887."

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Mobile County. }

Personally appeared before me, J. E. McHugh, a notary public, in and for said State and county, Thomas

B. Allman, who on oath deposes and says that he is the cashier of the Mobile Daily Herald; that the said Mobile Daily Herald is a newspaper published in the city and county of Mobile, Alabama, and that the following notice was published therein once a week for four consecutive weeks, as required by section 106 of the constitution.

Thos. B. Allman, Cashier.

NOTICE

Is hereby given of the intention to apply to the Legislature of Alabama, for the passage of a local law, amending an act entitled "An act to amend an act entitled an act to create the office of revenue constable for Mobile county and to prescribe his duties, approved February 24, 1887."

By striking out the words "one hundred" where the same occur in section two (2) and inserting "one hundred and twenty-five" in lieu thereof.

Subscribed and sworn to before me this 21st day of June, A. D., 1907. J. E. McHugh,
(SEAL) Notary Public, Mobile County, Ala.

H. 836. To amend an act, entitled an act to establish a separate school district, to be known as the Bethel school district, composed of a portion of Colbert, Lawrence and Franklin counties, Alabama, approved February 15th, 1899.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that a bill will be introduced at the present session of the Legislature of Alabama to amend the act creating Bethel school district composed of portions of the counties of Lawrence, Colbert and Franklin, by taking that portion of said district which lies in Lawrence county from said district.

Said act to be amended was approved Feb. 15, 1899, and is on pages 785 and 786 of Local Acts of 1898-9.

This January 21, 1907.

J. H. Butler.

The State of Alabama, }
 Lawrence County. }

Before me, J. C. Kumpe, judge of the probate court in and for said county, personally appeared Jourd White, who being duly sworn, deposes and says that he is one of the editors and publishers of the Moulton Advertiser, a newspaper published in said county, and that the foregoing notice was published in said paper for four consecutive weeks before this date as follows, viz.: In the issues of said papers dates as follows: January 24th, 1907; January 31st, 1907; February 7th, 1907, and February 14th, 1907.

Signed this the 18th day of February, 1907.

Jourd White.

Sworn to and subscribed before me this the 18th day of February, 1907. J. C. Kumpe,
 Judge of the Probate Court of Lawrence County, Ala.

H. 959. To prevent the shipment, transportation or delivery of spirituous, vinous or malt liquors or intoxicating bitters or beverages from any point in the State of Alabama, to any person, firm or corporation in Lawrence county, Alabama.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

A bill to be entitled an act to prevent the shipment, transportation or delivery of spirituous, vinous or malt liquors or intoxicating bitters or beverages, from any point in the State of Alabama, to any person, firm or corporation in Lawrence county, Alabama:

Section 1. Be it enacted by the Legislature of Alabama, That it shall be unlawful for any person, firm or corporation to accept for shipment, transportation or delivery from any point in the State of Alabama, any spirituous, vinous or malt liquors or intoxicating bit-

ters or beverages, consigned to any person, firm or corporation in Lawrence county, Alabama.

Section 2. That it shall be unlawful for any person, firm or corporation to deliver any spirituous, vinous or malt liquors or intoxicating bitters or beverages, to any person, firm or corporation in Lawrence county, Alabama, except as may be authorized by the interstate laws of the United States.

Section 3. That any person, firm or corporation violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction, shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars and the fine herein provided for shall be payable in lawful money of the United States only.

Section 4. Be it further enacted, That all laws and parts of laws in conflict with the provisions of this act, be and the same are hereby expressly repealed.

The State of Alabama, }
Lawrence County. }

Before me, J. C. Kumpe, judge of probate, in and for said State and county, personally appeared Jourd White, known to me to be one of the publishers of The Moulton Adevertiser, a newspaper published at Moulton, in said county, in said State, and he being first duly sworn doth state on oath that he is one of the publishers of said newspaper and that same has been regularly published and issued in weekly editions, in said county, for more than twelve months last past, and that the notice hereto attached, marked "Exhibit A", referring to a proposed bill for Lawrence county, was published, without cost to the State, once a week for four consecutive weeks before the making of this affidavit, in the issues of, to-wit:

Jourd White.

Sworn to and subscribed before me on this the 28 day of May, 1907.

J. C. Kumpe,
Judge of Probate.

H. 1068. To create and establish the office of jury commissioner for Jefferson county, Alabama, to provide for his appointment and removal, and to prescribe his qualifications, term of office; to define his powers and authority; to fix his salary and provide for its payment; to provide for clerks and assistants for said commissioner and to fix their salary.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows.

The State of Alabama, }
Jefferson County. }

Personally appeared before me, the undersigned authority, A. K. Williamson, who being by me duly sworn, deposes and says on oath that he is the president and manager of the Workman Publishing Company; that the Bessemer Workman is a newspaper published in the city of Bessemer, Jefferson county, Alabama, by said company; and affiant further says on oath that the following printed notice pasted to this affidavit was published once a week for four (4) consecutive weeks in the said Bessemer Workman, beginning on the 14th day of June, 1907, and published each week thereafter to and including the 5th day of July, 1907.

A. K. Williamson,
President and Manager.

Subscribed and sworn to before me on this the 5th day of July, 1907.

Ben. G. Penny,
Notary Public.

NOTICE.

Notice is hereby given that at the session of the Alabama Legislature which convenes on July 9, 1907, there will be introduced a bill which will in substance be to create and establish the office of jury commissioner of Jefferson county, Alabama, to provide for the appointment of the said commissioner by the judges of the court of record of said county, also to fill a vacancy in case of death, removal or resignation.

To provide for the removal from office, to fix his salary at not exceeding eighteen hundred dollars per annum, payable monthly, to prescribe his qualifications, powers, authority and duties of office, to prescribe his term of office, to regulate the drawing of juries by said commissioner for said county, to provide for clerks and assistants for said commissioner and to fix their salary not exceeding one hundred dollars per month.

H. 950. To vacate and annul Stollenwerck Avenue as shown on map of Village Creek Land Company's survey in Jefferson county, Alabama, as a public street or highway, and to annul and extinguish the dedication thereof.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that a bill will be introduced at the adjourned session of the Legislature of Alabama, 1907, to vacate, annul and extinguish the dedication of Stollenwerck avenue as a public street or avenue, as the same is shown on a map of the Village Creek Land Company, recorded in map book two, page one, in the office of the probate judge of Jefferson county, Alabama.

The State of Alabama, . }
Jefferson County. }

Before me, L. J. Haley, Jr., a notary public in and for said State and county, personally appeared J. H. F. Moseley, who being duly sworn says that he is manager of the Labor Advocate, a newspaper published weekly at Birmingham, Alabama, and that the notice hereto attached was printed for four consecutive weeks in said newspaper as follows: on June 14, June 21, June 28, and July 5th, 1907.

J. H. F. Mosley.

Sworn to and subscribed before me this 8th day of July, 1907.

L. J. Haley, Jr., Notary Public.

H. 862. To provide for the payment of jurors in Clarke county, Alabama.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

A BILL

~~To be entitled an act to provide for the payment of jurors in Clarke county, Alabama.~~

Section 1. Be it enacted by the Legislature of Alabama, That grand jurors, regular and tales jurors, serving in the circuit courts in civil and criminal cases, and those serving in the chancery court of the county of Clarke, are entitled to three dollars for every day's service as such juror, five cents for each mile traveled in going to and returning from court, to be proved by the oath of the juror before the clerk or register of the court, whose duty it is to give each juror a certificate, stating therein the number of days he has served, the number of miles he has traveled, and the amount of compensation to which he is entitled; which certificate shall be receivable in payment of county taxes and any other county dues, and payable out of the county treasury. 1-24-5t

The State of Alabama, }
Clarke County. }

Before me, Wm. Jas. Johnson, a notary public, personally appears A. B. Tucker, who, being by me first duly sworn, deposes and says that he is publisher of the Thomasville Echo, a newspaper published in Clarke county, Alabama; that the above notice hereto attached was inserted in said newspaper in its issue of Jan. 24, 1907, and has been published and has appeared regularly in five consecutive weekly issues of said Thomasville Echo.

A. B. Tucker.

Sworn and subscribed before me on this the 27 day of Feb. 1907, Wm. Jas. Johnson, N. P.

H. 1038. To authorize the court of county commissioners of Wilcox county to purchase or acquire three or more ferries along the Alabama river in said county, to operate and maintain same for the public use.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that a bill will be introduced in the Legislature of Alabama, to purchase, operate and maintain, three public and free ferries at points most accessible along the Alabama river in the county of Wilcox. 1-24-07-4t.

The State of Alabama, }
Wilcox County. }

Personally appeared before me W. J. Bonner, a notary public for Wilcox county and State aforesaid, J. F. Foster, who is known to me as editor of the Wilcox Banner, a paper published weekly at Camden, Wilcox county, Alabama, who being duly sworn deposes and says that he is editor and proprietor of the Wilcox Banner, a paper published weekly at Camden, Alabama, and that the attached notice authorizing the county of Wilcox to borrow money, etc., was published in the Wilcox Banner four consecutive weeks, beginning the seventh day of February and ending the 28th, of the same month.

J. F. Foster.

Sworn to and subscribed before me, this thirteenth day of June, 1907.

W. J. Bonner, Notary Public.

H. 934. To repeal an act entitled "an act to provide for the establishing of a separate school district to be known as the North Birmingham district in Jefferson county, Alabama, and to provide for the selection of a board of trustees for said school district with certain duties and powers," approved March 4th, 1901.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that at the session of the Legislature of Alabama, which reconvenes on July 9, 1907, there will be introduced for passage a bill which will be in substance as follows:

Be it enacted by the Legislature of Alabama, That an act entitled ~~"an act to provide for the establishing of a separate school district to be known as the North Birmingham district in Jefferson county, Alabama, and to provide for the selection of a board of trustees for said school district with certain duties and powers,"~~ approved March 4, 1901, be and the same is hereby repealed.

The State of Alabama, }
Jefferson County. }

Before me, C. B. Smith, a notary public in and for said county in said State, personally appeared Edgar W. Jones, who being by me first duly sworn, deposes and says that he is the editor and publisher of the Jones Valley Times, a weekly newspaper published in Birmingham, Jefferson county, Alabama; and that the foregoing notice hereto attached has been published in said Jones Valley Times once a week for four consecutive weeks prior to the making of this affidavit.

Edgar W. Jones.

Sworn to and subscribed before me this 5th day of July, 1907.

C. B. Smith, Notary Public.

H. 990. To require the tax assessor and tax collector of Morgan county, Alabama, to make their round as required by law together and providing notice of said round.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

There will be a bill introduced in the legislature at the adjourned session thereof in July requiring the tax assessor and collector of Morgan county, Alabama, to make the rounds of the county together.

The State of Alabama, }
Morgan County. }

Before me, Dan Walden, a notary public in and for the county and State aforesaid, this day personally appeared J. C. Orr, who being first duly sworn, deposes and says that he is the editor and proprietor of a newspaper published in the said State and county, known and designated as the Morgan County Times; that the notice hereto attached was published in said newspaper once a week for four consecutive weeks, beginning with the issue of date June 7th, 14th, 21st, and 28th, 1907, and that said notice was published without cost to the State of Alabama.

J. C. Orr.

Sworn to and subscribed before me, this 6th day of July, 1907.

Dan Walden,
Notary Public & Ex. Off. J. P.

H. 971. To provide for the compensation of the solicitor for Mobile county, to be elected in 1910, and his successors in office.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Mobile County. }

Before me, James H. Webb, a notary public in and for the State and county aforesaid, personally appeared J. F. Carter, Jr., who being by me first duly sworn says; that he is managing editor for the Daily Herald, a newspaper published in the city and county of Mobile, State of Alabama, and that the following notice was

published in said paper once a week for four successive weeks during the month of June, 1907, on, to-wit, the 7th, 14th, 21st, and 28th of said month:

NOTICE.

~~Notice is hereby given of intention to apply to the~~
Legislature of Alabama, at its present session when it reconvenes in July, 1907, for the passage of the following bill, viz.:

A BILL

To be entitled an act to provide for the compensation of the solicitor for Mobile county to be elected in 1910 and his successors in office:

Section 1. Be it enacted by the Legislature of Alabama, That the solicitor for Mobile county to be elected in 1910, and his successors in office, shall receive as compensation for the performance of the duties of said office a salary of five thousand dollars a year, payable in equal monthly installments out of the treasury of said county.

The original of said notice cut from said paper is pasted hereon.

J. F. Carter, Jr.

Subscribed and sworn to before me on this the 8th day of July, 1907.

J. H. Webb,

A notary public in and for Mobile County, Alabama.

H. 921. To regulate the fine and forfeiture fund of Escambia county and to better provide for the payment of State witnesses and officers' fees in said county.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Escambia County. }

Before me, M. F. Brooks, judge of probate in and for said county and State, personally appeared on this day, William D. Sowell; who being by me first duly sworn deposes and says that he is the editor and publisher of

the Pine Belt News, a weekly newspaper published in the town of Brewton, county of Escambia and State of Alabama, and that the notice hereto attached and marked "Exhibit A", was published in said Pine Belt News once a week for four (4) successive weeks, and that said notice appeared in said paper on the following dates, May 30, June 6, June 13, June 20th, 1907.

William D. Sowell,
Editor and Publisher of The Pine Belt News.

Sworn to and subscribed before me this the 6th day of July, 1907.

M. F. Brooks,
Judge of Probate.

(Exhibit A.)

NOTICE!

Notice is hereby given that at the adjourned session of the Legislature of Alabama a bill will be introduced, which will be, in substance, as follows:

A BILL

To be entitled an act to regulate the fine and forfeiture fund of Escambia county and to better provide for the payment of State witnesses and officers' fees in said county.

Section 1. Be it enacted by the Legislature of Alabama, That after the first day of January, 1908, witnesses subpoenaed on behalf of the State to attend the circuit and county courts of Escambia county in criminal cases, or to appear before the grand jury of said county, shall be entitled to one dollar per day and three cents per mile to and from their residence by the usually traveled route, and all necessary ferriage and tolls, such compensation to be paid out of the fine and forfeiture fund of said county, upon the certificate of the clerk showing the amount of compensation to which the witness is entitled.

Section 2. That a witness attending in more cases than one at the same time in said county shall only be

entitled to fees in one case while so attending, but if his attendance is required in the other case or cases he shall be entitled for such attendance each day to claim his per diem, but no mileage, and so on for each day until all the cases in which he is required to attend are disposed of by trial, continuance or otherwise; provided the witness shall prove his attendance during the time or ~~within five days after adjournment of the court at which~~ he attends, to entitle him to the compensation provided by this act.

Section 3. That it shall be the duty of the clerk of the courts to tax up the fees of State witnesses against the defendant if he is convicted, or against the prosecutor if the costs are imposed upon him, at the rate allowed State witnesses under the general law, and such fees when collected shall be paid by the clerk into the fine and forfeiture fund of the county. And it shall be the duty of the county treasurer to keep an account of the fees thus covered into the fine and forfeiture fund, together with all fines, forfeitures, proceeds of hire of convicts, residue of solicitor's fees, and any other moneys belonging to said fund, and any appropriations made by the commissioners' court under the provisions of this act and shall render to the commissioners' court at their first meeting in each year, a statement of the amounts received to the credit of such fund and the amounts paid out to State witnesses and to the sheriff and clerk under the provisions of this act.

Section 4. That should the amount of costs collected from defendants on conviction as herein provided, together with the fines, forfeitures, proceeds of convict hire, residue of solicitor's fees, and other moneys that may be paid into said fund, be insufficient to pay all the claims of State witnesses and officers' fees for the year in which such claims accrue, the court of county commissioners are hereby authorized to appropriate out of the general fund of the county, and out of any moneys not otherwise appropriated, a sum sufficient to pay such claims as the report of the county treasurer may show to be still outstanding; provided that such appropriation

shall not exceed the sum of one thousand dollars in any one year.

Section 5. That the fees of the clerk of such courts and the sheriff of said county, accruing for services rendered in behalf of the State, in cases wherein the State fails to convict, the indictment withdrawn, or the prosecution abates by the death of the defendant, or where no indictment is found by the grand jury, or in cases where the costs are imposed either on the defendant or prosecutor and execution returned "no property fund," or the case is not prossed, shall be paid out of the fine and forfeiture fund; provided that such officers shall render to the court of county commissioners an itemized statement of such fees, duly verified by affidavit, and have the same audited as other claims against the county; and provided further, that the rights of such officers to such payment shall be postponed to the rights of State witnesses.

Section 6. That it shall be the duty of the county treasurer of said county, immediately after the first day of January, 1908, to give notice by advertisement in some newspaper published in said county, once a week for three successive weeks, to all persons holding registered claims against the fine and forfeiture fund of said county to present the same for payment within sixty days after the date of such notice, and if such claims are not presented within such time they will be forever barred; provided that any person whose registered claims have been lost, mislaid or destroyed, or the heirs or legal representative of such person, may make proof of such loss by filing an affidavit with the county treasurer to that effect, within the time specified in said notice, and the county treasurer shall, if the same corresponds with his register of claims, pay the same as though the original registered claim had been presented for payment.

Section 7. That on and after the first day of January, 1908, all laws and parts of laws in conflict with the provisions of this act shall be of no effect.

H. 1046. To amend section two of "An act to constitute the city of Anniston a separate school district and to provide a board of education therefor."

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

~~The State of Alabama~~ }
Calhoun County. }

Before me, A. B. Sawyer, a notary public, in and for said State and county, personally appeared Milton A. Smith, who being duly sworn on his oath, doth depose and say that he is the editor and publisher of the Daily Hot Blast a newspaper published in Anniston, Alabama, and that a notice was published in said newspaper for four consecutive weeks on June 15th, 22nd, 29th, and July 6th, 1907, as follows:

NOTICE.

Take notice of the intention to apply to the Legislature of Alabama at its adjourned session in July, 1907, for the passage of an act in substance as follows:

AN ACT

To amend section two of "An act to constitute the city of Anniston a separate school district and to provide a board of education therefor.

Sec. 1. Be it enacted by the Legislature of Alabama, That section 2 of "An act to constitute the city of Anniston a separate school district and to provide a board of education therefor," approved January 28, 1801, be amended so as to read as follows:

Sec. 2. Be it further enacted, That the public schools of the city of Anniston shall be under the control and management of a board of education to consist of eleven suitable persons to be elected by the mayor and city council of Anniston from the qualified electors of the city. Such board shall be divided into three classes, four in each of two classes, and three in the other class.

The first class of four shall be elected at the first regular meeting of the city council in March, 1909; the second class of four at the same time in 1911, and the third class of three at the same time in 1913, and the term of office shall be six years and until their successors have been elected and qualified; and biennially thereafter said mayor and city council shall elect the successors to the members whose terms expire. Vacancies in said board, caused by death, resignation or removal, shall be filled for the unexpired term by the mayor and city council. The members, who shall hold office for a term of two years. He shall have the right to vote upon all questions before said board, and shall have a casting vote where there shall be a tie; provided that the members of said board as now constituted shall serve for the several terms for which they have been elected; and provided further that in March, 1909, in addition to the four of the class elected for the full term of six years, a fifth shall be elected for a term of two years and his successor shall be elected for the full term of six years as one of the four of the said second class.

Milton A. Smith, Publisher.

Sworn to and subscribed before me this 6 day of July,
1907.

A. B. Sawyer,
Notary Public, Calhoun Co.

HOUSE MESSAGE.

The House bills in the foregoing House message were severally read once and referred to appropriate standing committees as follows:

H. 1113, 1114, 890, 899, 1063, 901, 1061, 876, 902, 951, 133, 952, 920, 1039, 973, 836, 1068, 950, 862, 1038, 934, 990, 971, 921, 1046, to Local Legislation.

H. 917, 904, 959, to Temperance.

H. 1239, 1154, 1123, 1151, 1189, 987, 1211, 1129, 1130, 427, 1007, 1023, 1205 and 1012, to Finance and Taxation.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended, as therein shown, and as amended, has concurred in S. J. R. No. 69, relative to adjournment from July 19th to July 23rd.

And has concurred in S. J. R. 60, relative to an extra ~~convent being employed in the Senate.~~

Cyrus B. Brown, Clerk.

HOUSE MESSAGE.

The Senate concurred in the House amendment to Senate joint resolution No. 69, relative to adjournment from July 19th to July 23rd.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker of the House having signed the following House bill your signature thereto is requested:

H. 839. To better provide for the working of the public roads in Pike county, Alabama, prescribe rules and regulations for the same and prescribe penalties for the violation of this act.

Cyrus B. Brown,
Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after its title had been publicly read by the secretary, signed the above House bill, the title of which is set out in the foregoing message from the House, the reading at length of said bill having been dispensed with, by a two-thirds vote of a quorum of the Senate present.

BILLS ON THIRD READING.

The bill:

S. 61. To establish a colony for epileptics in Alabama and to provide means for carrying the same into effect.

Was taken up.

The following amendment offered by the committee on Public Health, to-wit:

Amend by striking out section 24. Also amend by striking out section 23 and by inserting in lieu thereof the following:

"The board of commissioners shall have police jurisdiction within the grounds owned by the State and shall have the power to appoint one or more persons who shall possess the same power and authority on the premises and within the limits named as constables now possess in criminal cases. Said person or persons so appointed shall have authority to arrest all persons trespassing on said grounds or violating the laws of the State, who shall immediately be taken before some court having jurisdiction thereof to be dealt with according to law. Said person or persons so appointed shall also have authority to arrest and remove from said premises any person violating the rules and regulations adopted by said commissioners.

Before entering on the discharge of his duties every such person hereby invested with the powers of constable shall give bond and take the same oath of office as is by law required of constables and shall in addition to fees allowed constables receive such compensation as may be prescribed by the commissioners.

Also amend section 11 by striking out of the 13th line thereof the words "tax collector" and insert in lieu thereof the following "treasurer on the order of the commissioners' court."

Also amend section 11 by striking out of the 13th line of the bill the words, "tax collector" and inserting in lieu thereof the words "county commissioners."

Also amend section 7 by striking out the words "one hundred thousand" where they occur and inserting in lieu thereof the words "twenty thousand," and also strike out the words, "twenty-five thousand" where they occur in said section and insert in lieu thereof the words "ten thousand."

Also amend section 2 by adding after the word "commissioners" where it occurs in the second line the following "one of whom shall be the lieutenant governor

and another the State health officer and the other five." Also amend said section 2 by striking out the word "four" where it occurs before the word "members" in line five and insert in lieu thereof the word "three" and strike out the word "three" where it occurs in line five and insert in lieu thereof the word "two."

Also amend by changing section 25 to 24 and 26 to 25.

~~was adopted.~~

Yeas, 16; nays, 2.

Yeas:

Messrs:

Barbour	Glenn	Miller	Reese
Doster	Hinson	Moody	Reynolds
Forrester	Lusk	McWhorter	Spragins
Gardner	Merritt	Overton	Thomas

—16.

Nays: Messrs. Bayles and King—2.

Mr. McWhorter offered the following amendment:

Amend Sec. 2 by striking out lines to six, inclusive, and all that portion of line seven that precedes the word "services" in said line, and inserting in lieu thereof: "The government and control of said epileptic colony shall be vested in a board of three commissioners, to be appointed and commissioned by the governor, by and with the advice of the State board of health, and the term of office of said commissioners shall be four years; but of those first appointed, one shall hold office for four years, one for three years, and the other for two years from the date of approval of this act, and their successors shall hold for four years from the date of appointment."

Amend Sec. 15 by adding the following words to the end thereof: "But no such transfer shall be made except upon the approval of the superintendent of the Alabama Insane Hospital, whose duty it shall be to receive such patients as soon as they can be accommodated in those institutions."

Amend Sec. 19 by striking out the words "with the approval" in line five of said section, and inserting in lieu thereof, the words "under regulations."

Also amend said section 19 by striking out the words "with the approval of the commissioners" in line 8 of said section, and inserting in lieu thereof the words, "under such regulations."

Which was adopted.

Ayes, 16; nays, 2.

Yeas:

Messrs:

Barbour	Glenn	Miller	Reese
Doster	Hinson	Moody	Reynolds
Forrester	Lusk	McWhorter	Spragins
Gardner	Merritt	Overton	Thomas

—16.

Nays: Messrs. Bayles and King—2.

Mr. King offered the following amendment:

Provided that the colony herein provided for shall be located as near the center of the State as practicable.

Which was on motion of Mr. Lusk laid on the table.

Yeas, 12; nays, 11.

Yeas:

Messrs:

Barbour	Hayes	Lusk	Reid
Gardner	Leith	Miller	Reynolds
Hamburger	Lowe	Moody	Strother

—12.

Nays:

Messrs:

Forrester	Jones	McWhorter	Thomas
Glenn	King	Reese	Wilson
Heacock	Merritt	Spragins	

—11.

And the bill, as thus amended, was read a third time, at length, and passed.

Yeas, 18; nays, 4.

Yeas:

Messrs:

Doster	Heacock	Miller	Reynolds
Forrester	Jones	Moody	Spragins
Glenn	King	McWhorter	Strother
Hamburger	Leith	Reese	Wilson
Hayes	Lusk		

—18.

Nays:
 Messrs:
 Barbour Reid Teasley Thomas

—4.

The bill:

S. 321. To amend section 3700 of the Code of Alabama of 1896, as amended by an act of the Legislature of Alabama approved February 12th, 1903.

Was read a third time, at length, and passed, and ordered sent to the House without engrossment.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Barbour	Glenn	Merritt	Reid
Bayles	Hayes	Miller	Reynolds
Blackmon	Jones	Moody	Spragins
Forrester	Leith	Overton	Strother
Gardner	Lowe	Reese	Wilson

—20.

The bill:

H. 562. To regulate the practice of pharmacy and the sale of poisons in the cities and towns of more than nine hundred inhabitants in the State of Alabama, and fixing the penalty for violations thereof, and to repeal chapter 89 of the civil Code of Alabama, 1896, and section 5335 of the criminal Code of Alabama, 1896, and all other laws in conflict with the provisions of this act.

Was taken up.

Mr. Wimberly offered the following amendment, to-wit:

"After the word 'morphine' in section 8 to read 'except upon the prescription of a duly and legally licensed physician, surgeon or dentist and then only in quantities not exceeding five grains unless prescribed with other drugs. This act shall take effect January 1st, 1908.'"

Which was adopted.

Yeas, 16; nays, 3.

Yeas :

Messrs :

Barbour	Heacock	Miller	Reid
Bayles	Jones	Moody	Reynolds
Glenn	Lowe	Overton	Thomas
Hayes	Lusk	Reese	Wilson

—16.

Nays :

Messrs :

Leith	Spragins	Strother	
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—3.

Mr. Gardner offered the following amendment, to-wit:

Amend section 5 by striking out the word "two" before the word "year" and insert in lieu thereof the word "one."

Which was adopted.

Yeas, 25; nays, 0.

Yeas :

Messrs :

Bayles	Hayes	Lusk	Reid
Blackmon	Heacock	Merritt	Spragins
Forrester	Jones	Miller	Strother
Gardner	King	McWhorter	Teasley
Glenn	Leith	Overton	Thomas
Hamburger	Lowe	Reese	Wilson
Hamner			

—25.

And the bill, as thus amended, was read a third time, at length, and passed.

Yeas, 19; nays, 4.

Yeas :

Messrs :

Barbour	Jones	Moody	Teasley
Blackmon	King	McWhorter	Thomas
Gardner	Lusk	Reese	White
Glenn	Merritt	Reid	Wilson
Hayes	Miller	Spragins	

—19.

Nays :

Messrs :

Hamner	Leith	Lowe	Strother
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—4.

The bill:

S. 295. To legalize and make effective the registration of deeds of conveyances, heretofore filed and recorded in the office of the judge of probate of the proper county in this State, and of deeds of conveyances heretofore executed, which may be so filed and recorded within two years after the approval of this act.

Was read a third time, at length, and passed, and ordered sent to the House forthwith without engrossment:

Yeas, 19; yeas, 3.

Yeas:

Messrs:

Bayles	Hamner	Lusk	Reese
Blackmon	Hayes	Merritt	Reid
Doster	Heacock	Miller	Spragins
Forrester	Jones	Moody	Thomas
Glenn	Leith	McWhorter	

—19.

Nays:

Messrs:

Gardner	Strother	Wilson
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—3.

The bill:

S. 441. To amend section one of an act "To prohibit, regulate and restrict the sale or other disposition of intoxicating liquors, drinks or beverages within the State of Alabama by providing for elections in the various counties of the State to determine whether the sale or other disposition of such intoxicating liquors, drinks or beverages shall be so prohibited, regulated and restricted."

Was taken up.

Mr. Reynolds offered the following amendment, to-wit:

Amend the bill by striking out all that part of section 2 and including the words "and no election" to and including the words "of said act."

Mr. Merritt moved to lay Mr. Reynold's amendment on the table, which motion prevailed.

Yeas, 18; nays, 8.

Yeas:

Messrs:

Blackmon	Jones	Moodv	Spragins
Forrester	King	McWhorter	Teasley
Glenn	Leith	Reese	Thomas
Hayes	Lusk	Reid	Wilson
Heacock	Merritt		

—18.

Nays:

Messrs:

Bayles	Gardner	Lowe	Reynolds
Doster	Hinson	Miller	Strother

—8.

Mr. Reynolds moved to indefinitely postpone the bill,
which motion was lost.

Yeas, 10; nays, 14.

Yeas:

Messrs:

Bayles	Hinson	McWhorter	Teasley
Doster	Lowe	Reynolds	Thomas
Hayes	Miller		

—10.

Nays:

Messrs:

Forrester	Jones	Merritt	Reid
Gardner	King	Moody	Strother
Glenn	Leith	Reese	White
Heacock	Lusk		

—14.

And the bill, as thus amended, was read a third time,
at length, and passed.

Yeas, 16; nays, 5.

Yeas:

Messrs:

Forrester	King	Merritt	Reese
Gardner	Leith	Moody	Reid
Glenn	Lowe	McWhorter	Strother
Heacock	Lusk	Overton	Wilson
Jones			

—16.

Nays:

Messrs:

Bayles
Hinson

Reynolds

Teasley

Thomas

—5.

PAIRED.

Mr. Spragins announced that he was paired with Mr. White, who was absent; that he would vote no both on the amendment and passage of the bill and that if Mr. White were present he would vote aye.

RECESS.

The hour of one o'clock having arrived, the Senate took a recess until 3 o'clock this afternoon.

AFTERNOON SESSION.

July 19th, 1907.

The Senate met pursuant to adjournment.

ROLL CALL.

On a call of the roll a quorum of the Senators answered to their names.

REPORT FROM COMMITTEE ON RULES.

Mr. Gardner, from the committee on Rules, reported favorably, with an amendment, Mr. Barbour's resolution relative to making Senate bill 384 a special continuing and paramount order for the next legislative day at 3 o'clock p. m., said amendment being to change the hour of three o'clock to twelve o'clock noon.

Also Senate resolution number 65 favorably, relative to making Senate bill 324 a continuing, special and exclusive order for twelve o'clock noon on the next legislative day.

Also Senate resolution, relative to making Senate bills 547 and 508 special orders for 11:45 a. m. on the next legislative day, with the following amendment:

"That Senate bill 508 be set for special order for the second legislative day at 10:30 o'clock and that 300 copies be ordered printed for the use of the Senate."

Which was adopted.

Also Senate resolution number 64, relative to making Senate bill 390 a special order for 11 o'clock a. m. on tomorrow, which report was adopted.

RESOLUTIONS.

Mr. McWhorter offered the following resolution:

"Resolved, that Senate bill 347, To establish a tuberculosis sanatorium in Ala.; and Senate bill 529 (amending public health laws) be made special, paramount and continuing orders for the next legislative day at the hours of 12:15 and 12:30 p. m. respectively."

Which was referred to the committee on Rules.

Mr. Leith offered the following resolution:

S. R. 73. A motion is hereby made that S. B. 546 be set down for a special and continuing order for 10:45 a. m. for the next legislative day.

Which was referred to the committee on Rules.

Mr. Wilson offered the following resolution:

S. R. 74. Resolved, that Senate bill No. 538 be set down for the next legislative day at 11:45 a. m. for a special and continuing order.

Which was referred to the committee on Rules.

Mr. Hamner offered the following resolution:

S. R. 75. Resolved, that Senate bill No. 487 be set down for consideration at 12:15 p. m. tomorrow (the next legislative day) as special continuing and paramount order.

Which was adopted.

ORDER TO PRINT.

On motion of Mr. Barbour 500 copies of S. 384 were ordered printed.

On motion of Mr. Overton 300 copies of S. 612 were ordered printed for use of the Senate.

 BILLS ON THIRD READING RESUMED.

The bill:

H. 1033. Providing for the more efficient working of the public roads in Wilcox county; to provide for the revenues for the same, including a vehicle license; to divide the county into five road districts; to appoint and elect road supervisors and overseers for the same; to provide for the appointment of one civil engineer; to provide for a commutation of \$7.50 per capita in lieu of work; and such other details as may be necessary for the working of the public roads in Wilcox county.

Was read a third time, at length, and passed.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lusk	Spragins
Blackmon	Hayes	Miller	Strother
Forrester	Heacock	McWhorter	Teasley
Gardner	Jones	Overton	Thomas
Glenn	Leith	Reynolds	Wilson
Hamburger			

—21.

The bill:

H. 690. To require the county board of education of Wilcox county to audit and pass upon the accounts of the district trustees of the several school districts in Wilcox county of funds paid over to them by the superintendent of education of Wilcox county arising out of the dispensary at Camden to be used by them for school purposes.

Was read a third time, at length, and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Merritt	Spragins
Bayles	Heacock	Miller	Strother
Forrester	Jones	Moody	Teasley
Gardner	Leith	McWhorter	Thomas
Glenn	Lowe	Overton	Wilson
Hamner	Lusk	Reynolds	

—23.

The bill:

S. 196. To provide for the election of only one justice of the peace in precincts 1, 2, 3, 4, 5, 6 and 7, in the city and county of Montgomery.

Was taken up.

Mr. Teasley offered the following substitute:

To provide for the election of only one justice of the peace for each precinct within or partly within the city of Montgomery; and to define the powers and jurisdiction of said justices of the peace.

Section 1. Be it enacted by the Legislature of Alabama, That at the general election in 1908, and every four years thereafter, there shall be elected by the qualified voters respectively of each precinct within or partly within the city of Montgomery, only one justice of the peace for each of said precincts, said justices of the peace to be residents of the precincts for which they are elected.

Section 2. That said justices of the peace shall have the same power and jurisdiction as is now provided by law for justices of the peace in said precincts.

Section 3. That all laws, local or general, in conflict with the provisions of this act be and the same are hereby repealed.

Which was adopted.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Barbour	Glenn	Jones	Lowe
Forrester	Hamner	King	Lusk
Gardner	Heacock	Leith	Merritt

Miller	Overton	Spragins	Thomas
Moody	Reid	Strother	Wilson
McWhorter	Reynolds	Teasley	

—23.

And the bill, as thus amended, was read a third time, at length, and passed.

~~Yeas, 22; nays, 0.~~

Yeas:

Messrs:

Barbour	Heacock	Merritt	Spragins
Forrester	Hinson	Miller	Strother
Gardner	Jones	Moody	Teasley
Glenn	Leith	McWhorter	Thomas
Hamner	Lowe	Reynolds	Wilson
Hayes	Lusk		

—22.

The bill:

H. 932. To vacate and annul as a public street or highway that part of Seventh or Twenty-third street in the town of North Birmingham, Alabama, which lies northwestwardly of the northern line of avenue A or Thirty-sixth avenue, and southwestwardly of the southern line of avenue B or Thirty-seventh avenue, and to extinguish and annul the dedication thereof.

Was read a third time, at length, and passed.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Barbour	Hinson	McWhorter	Spragins
Forrester	Jones	Overton	Strother
Glenn	King	Reese	Teasley
Hamner	Leith	Reid	Thomas
Hayes	Lowe	Reynolds	Wilson
Heacock	Merritt		

—22.

The bill:

H. 686. To repeal an act entitled an act to regulate the trial of misdemeanors in Madison county, approved February 23, 1899, acts 1898-99, page 1553, and to transfer all causes and proceedings pending in the county

court of Madison county as regulated or established by said act, and all dockets and records thereof, to the law and equity court of Madison county, and to give such court jurisdiction of such causes and proceedings, and full powers and authority thereover.

Was read a third time, at length, and passed.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Moody	Spragins
Bayles	Leith	McWhorter	Strother
Forrester	Lowe	Overton	Teasley
Gardner	Lusk	Reid	Thomas
Glenn	Merritt	Reynolds	Wilson
Hamner	Miller		

—22.

The bill:

H. 761. To extend the police power and jurisdiction of the city of Sylacauga over and about the property and premises of the Central Mills, a corporation under the laws of Alabama, in the vicinity of said city, in the county of Talladega, and to empower the corporate authorities to exercise police jurisdiction over the said Central Mills property and within the limits of one hundred and fifty feet from the boundary lines thereof.

Was read a third time, at length, and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Barbour	Hinson	Merritt	Spragins
Gardner	Jones	McWhorter	Strother
Glenn	King	Overton	Teasley
Hamner	Leith	Reese	Thomas
Hayes	Lowe	Reid	Wilson
Heacock	Lusk	Reynolds	

—23.

The bill:

S. 575. To ratify and confirm the acts and contracts of the court of county commissioners of Wilcox county, or other authorized agents of said county, borrowing money for the use and benefit of said county and to rat-

ify and confirm the warrants given for money so borrowed and for the interest thereon, and for warrants heretofore issued for said purpose.

Was read a third time, at length, and passed, and ordered sent to the House forthwith without engrossment.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Barbour	Jones	Miller	Spragins
Bayles	King	Moody	Strother
Doster	Leith	McWhorter	Teasley
Forrester	Lowe	Reese	Thomas
Hayes	Lusk	Reid	Wilson
Heacock	Merritt	Reynolds	

—23.

The bill:

S. 574 1-2. To ratify and confirm and legalize all warrants heretofore issued by the court of county commissioners of Wilcox county for the use and benefit of the underwriters of the Camden branch of the Louisville and Nashville railroad.

Was read a third time, at length, and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Bayles	Heacock	Lusk	Reynolds
Forrester	Hinson	Merritt	Spragins
Gardner	Horton	Moody	Strother
Glenn	King	McWhorter	Teasley
Hamner	Leith	Overton	Thomas
Hayes	Lowe	Reese	Wilson

—24.

The bill:

S. 560. To provide for the appointment by the judges of the city court of Birmingham of the necessary bailiffs for said court and to fix the duties, powers, liabilities and compensation of said bailiffs and to provide for the payment of their compensation.

Was read a third time, at length, and passed, and ordered same sent to the House forthwith without engrossment.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Barbour	Heacock	Merritt	Spragins
Forrester	Jones	Miller	Strother
Gardner	King	McWhorter	Teasley
Hamburger	Leith	Overton	Thomas
Hamner	Lowe	Reid	Wilson
Hayes	Lusk		

—22.

The bill:

H. 897. To change the boundary line between the counties of Cleburne and Calhoun.

Was read a third time, at length, and passed.

Yeas, 24; nays, 1.

Yeas:

Messrs:

Barbour	Hayes	Merritt	Reid
Bayles	Heacock	Miller	Spragins
Forrester	Jones	Moody	Strother
Gardner	Leith	McWhorter	Teasley
Glenn	Lowe	Overton	Thomas
Hamner	Lusk	Reese	Wilson

—24.

Nays: Mr. Reynolds—1.

The bill:

H. 687. To repeal all statutes and laws establishing county courts, and proceedings therein, with monthly terms, for the trial of misdemeanors (Code 4593, et seq.) so far as the county of Madison is concerned.

Was read a third time, at length, and passed.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Merritt	Spragins
Bayles	Heacock	Miller	Strother
Forrester	Jones	Moody	Teasley
Gardner	Leith	McWhorter	Thomas
Glenn	Lowe	Reynolds	Wilson
Hamner	Lusk		

—22.

The bill:

S. 572. To prohibit the sale, barter, exchange, or giving away of vinous, spirituous or malt liquor or other intoxicating drinks or beverages in the county of Houston in the State of Alabama; and to provide for an offense and a penalty for the sale, barter, exchange, or giving away of vinous, spirituous or malt liquor, or other intoxicating drinks or beverages in the said county of Houston.

Was read a third time, at length, and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Barbour	Heacock	Lusk	Reid
Bayles	Hinson	Merritt	Spragins
Forrester	Jones	Miller	Strother
Gardner	King	Moody	Teasley
Glenn	Leith	McWhorter	Thomas
Hamner	Lowe	Overton	Wilson

—24.

The bill:

H. 912. To repeal an act entitled an act "To constitute a board of jury commissioners for Crenshaw county," approved February 7th, 1899.

Was read a third time, at length, and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Barbour	Gardner	Hamner	Jones
Bayles	Glenn	Hayes	King
Forrester	Hamburger	Heacock	Leith

Lowe	Moody	Reynolds	Teasley
Lusk	McWhorter	Spragins	Thomas
Miller	Reid	Strother	Wilson

—24.

The bill :

H. 964. To amend sections 5 and 15 of an act entitled "An act to establish the Lee county court of law and equity, prescribe its jurisdiction and powers, its rules of practice and procedure, provide for the selection of its officers, prescribe their powers, duties, compensation and term of office, fix the time of holding said court, and provide for fees, commissions, fines, forfeiture and juries in said court, provide for supplies for said court, and repeal conflicting laws," approved the 5th day of March, 1907.

Was read a third time, at length, and passed.

Yeas, 21; nays, 0.

Yeas :

Messrs :

Barbour	Lusk	Overton	Strother
Forrester	Merritt	Reese	Teasley
Glenn	Miller	Reid	Thomas
Hamner	Moody	Reynolds	White
Leith	McWhorter	Spragins	Wilson
Lowe			

—21.

The bill :

H. 960. To amend section 1 of an act entitled an act "to aid and encourage technical education in the State of Alabama and the providing for the erection and equipment of buildings and increased facilities at the Alabama Polytechnic Institute," approved March 2, 1907, so as to read as follows :

Was read a third time, at length, and passed.

Yeas, 17; nays, 0.

Yeas :

Messrs :

Gardner	Heacock	Lowe	Spragins
Glenn	Jones	Miller	Teasley
Gunn	King	McWhorter	Thomas
Hamner	Leith	Reynolds	Wilson
Hayes			

—17.

The bill:

S. 547. To appropriate the sum of \$537.72 to pay the expenses of the fertilizer and cotton seed oil mill investigating committee and for the disbursement of the same.

Was taken up, and the following amendment offered by the committee:

Amend section 2 thereof by adding at the end of section two the following:

Provided the total amount paid hereunder shall not exceed said sum of five hundred and thirty-seven and 72-100 (\$537.72) dollars.

Was adopted.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Bayles	King	Moody	Spragins
Forrester	Leith	McWhorter	Strother
Gardner	Lowe	Overton	Teasley
Glenn	Lusk	Reese	Thomas
Heacock	Merritt	Reid	Wilson
Jones	Miller	Reynolds	

—23.

And the bill, as thus amended, was read a third time, at length, and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Barbour	Heacock	Miller	Reynolds
Forrester	Jones	Moody	Spragins
Gardner	Leith	McWhorter	Strother
Glenn	Lowe	Overton	Teasley
Hamburger	Lusk	Reese	Thomas
Hamner	Merritt	Reid	Wilson

—24.

The bill:

S. 520. To amend section 10 and section 11 of an act entitled an act to create a railroad commission to be known as the railroad commission of Alabama, define its

duties and powers and provide for its mode of procedure and prescribe penalties for violation of its orders.

Was taken up, and the following substitute was offered by the committee:

A BILL

To be entitled an act, to amend an act entitled an act to create a railroad commission, to be known as the railroad commission of Alabama, define its duties and powers and provide for its mode of procedure and prescribe penalties for violation of its orders, approved the 23rd day of February, 1907.

Section 1. Be it enacted by the Legislature of Alabama, That section 10 of an act entitled "An act to create a railroad commission, to be known as the railroad commission of Alabama, define its duties and powers and provide for its mode of procedure, and prescribe penalties for violation of its orders," approved February 23, 1907, be and the same is hereby amended so as to read as follows:

Section 10. The term "transportation company," as used herein, shall mean and embrace all corporations, companies, individuals, associations of individuals, their lessees, trustees or receivers, that now, or may hereafter own, operate, manage or control as common carriers any railroad or part of a railroad in this State; or any cars, or other equipment used thereon, or bridges, terminals or side tracks used in connection therewith, whether owned by such railroad, or otherwise. The term "transportation company," as used herein, shall also mean and embrace express companies, car companies, sleeping car companies, steam boat or steam packet companies, and all corporations, individuals, or associations of individuals, their lessees, trustees or receivers that now or may hereafter own, operate or control any railroad depot or terminal station, over all of which the commission shall have the power of supervision and control.

Section 2. Be it further enacted by the Legislature of Alabama, That section 11 of said act above described, be, and the same is hereby, amended so as to read as fol-

lows: "Section 11. The provisions of this act shall apply to the transportation of passengers and property between points within this State, and to the receiving, switching, delivering, storing, and hauling of such property and to all charges connected therewith, and shall apply to all railroad corporations, express companies, car companies, sleeping car companies, freight and freight line companies, ~~steam boat or steam packet companies~~, terminal companies or individuals who now or hereafter may own, operate or control any railroad depot or terminal station, and to all associations of persons whether incorporated or otherwise that shall do business as common carriers upon or over any line of railroad, in whole or in part within this State, upon or over any navigable stream, in whole or in part within this State, or partly by rail and partly by water; but nothing in this act shall be construed as a regulation of or interference with inter-state commerce.

And adopted.

Yeas, 18; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Leith	Spragins
Bayles	Hayes	McWhorter	Strother
Forrester	Heacock	Reese	Teasley
Gardner	Jones	Reid	Wilson
Glenn	King		

—18.

And the bill, as thus amended, was read a third time, at length, and passed, and ordered sent to the House forthwith without engrossment.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Bayles	Heacock	McWhorter	Spragins
Forrester	Jones	Overton	Strother
Gardner	King	Reese	Teasley
Glenn	Leith	Reid	Thomas
Hamner	Merritt	Reynolds	Wilson

—20.

The bill:

S. 149. To further regulate the writing of insurance against fire and other destructive agencies in this State.

Was taken up, and the following amendment was offered by the committee:

Amend by striking out in section 1, line 6, after the word "interest" the word "of" and insert in lieu thereof the word "or", also same line by striking out the word or letter "a" next after the word "such."

Further amend by adding at the end of section 2, the following: "Provided such house, building or structure be so located that it can be repaired or rebuilt, without violating any local law, or city ordinance, in which event the assurrer may make tender of the actual amount of damages sustained, and in case of suit, on such policy, after such amount has been so tendered, and the judgment be for an amount no greater than so tendered, the court costs shall be assessed against the plaintiff in the case."

Amend by adding at the end of section 3 the following: "Provided such irregularity be through no fraudulent misrepresentations of the assured."

Was adopted.

Yeas, 13, nays, 5.

Yeas:

Messrs:

Bayles	Hamner	McWhorter	Spragins
Gardner	Hayes	Reese	Strother
Glenn	Heacock	Reid	Wilson
Hamburger			

—13.

Nays:

Messrs:

Barbour	King	Leith	Miller
Forrester			

—5.

Mr. Reynolds offered the following amendment:

No policy of insurance shall be issued on property in this State which said policy contains what is called "the three-quarter value clause," and except in case of fraud or overvaluation or where the insurer rebuilds the prop-

erty destroyed, the insurer shall be liable in all cases for the full face amount of the policy on which premium is paid.

On motion of Mr. Spragins, the consideration of the bill and amendments was indefinitely postponed.

Yeas, 10; nays, 9.

Yeas:

Messrs:

Barbour	Jones	Moody	Strother
Bayles	King	Spragins	Teasley
Forrester	Lowe		

—10.

Nays:

Messrs:

Glenn	McWhorter	Reese	Reynolds
Hamner	Overton	Reid	Wilson
Haves			

—9.

ADJOURNMENT.

On motion of Mr. Thomas, the Senate adjourned until twelve o'clock Tuesday, July 23rd, 1907.

FORTY-THIRD DAY.

Tuesday, July 23, 1907.

The Senate met pursuant to adjournment.
Prayer by Rev. C. W. Hare, of Tuskegee.

ROLL CALL.

Present:

Mr. President, and,

Messrs:

Barbour	Gardner	Hayes	King
Bayles	Glenn	Heacock	Leith
Blackmon	Gunn	Hinson	Lowe
Doster	Hamburger	Horton	Lusk
Forrester	Hamner	Jones	Merritt

Miller	Reese	Strother	White
Moody	Reid	Teasley	Wilson
McWhorter	Reynolds	Thomas	Wimberly
Overton	Spragins		

—34.

JOURNAL.

On motion of Mr. Blackmon, the reading of the Journal of yesterday was dispensed with and the same was approved.

PRIVILEGES OF THE FLOOR.

The privileges of the floor were extended to Messrs. Davidson, Vaiden and Joel W. Goldsby.

INTRODUCTION OF BILLS.

On a call of the districts, bills were introduced, read one time and referred to appropriate standing committees as follows:

By Mr. Miller:

S. 613. To further direct the expenditure of the money covered by the appropriation heretofore made for the Alabama Industrial School for White Boys.

Finance and Taxation.

By Mr. Reynolds:

S. 614. To provide for refurnishing and in keeping in repair the State capitol and the several offices therein, and to provide for the improvement and keeping in order the State capitol grounds.

Finance and Taxation.

By Mr. Gunn:

S. 615. To amend section 2695 of the Code.

Local Legislation.

By Mr. Glenn:

S. 616. To amend section 4120 of the Code of 1896.

Finance and Taxation.

By Mr. Teasley:

S. 617. To establish a great seal for the State of Alabama.

Judiciary.

By Mr. Forrester:

S. 618. To prohibit the sale, barter or exchange of spirituous, vinous or malt liquors, or other intoxicating drinks, in Henry county, and to provide punishment for violation of said act.

Temperance.

With notice and proof as follows:

The State of Alabama, }
Henry County. }

Before me, R. W. Miller, a notary public in and for said county, said State, personally appeared A. U. Grouby, who, being duly sworn by me, deposes and says: That he is proprietor, editor and manager of The Abbeville News, a weekly newspaper published in the town of Abbeville, county of Henry and State of Alabama, on Friday of each week; that the notice hereto attached or pasted, and made a part of this affidavit, was published in his said paper once a week for four successive weeks, on, to-wit: the 19th day of July, the 12th day of July, the 5th day of July and the 28th day of June, of the year 1907.

NOTICE.

The State of Alabama, }
Henry County. }

Notice is hereby given that there will be introduced in the Legislature of Alabama, at the adjourned term thereof when said body shall reconvene in July, 1907, for the purpose of completing the present term, a bill which shall provide: First—That no spirituous, vinous or malt liquors, or intoxicating drinks shall, after the passage of said act, be sold, bartered or exchanged in said Henry county, Alabama, by or through a dispensary, or otherwise. Second—For an adequate penalty for the violation of said act. Third—For the repeal of all dispensary laws, and of all other laws in conflict with said act in so far as the same may relate to or affect said Henry county. June 28th, 1907.

(Signed) A. U. Grouby.

Sworn to and signed before me, on this the 20th day of July, 1907.

R. W. Miller,
Notary Public.

By Mr. King:

S. 619. For the relief of J. T. Ballow.

Local Legislation.

With notice and proof as follows:

Notice is hereby given that a bill will be introduced in the Legislature of Alabama at its July session, for the relief of John T. Ballow, refunding to him fifty dollars out of the fine and forfeiture fund of Marengo county.

May 29th, 1907.

John T. Ballow.

The State of Alabama, }
Marengo County. }

Before me, a notary public in and for Marengo county, Alabama, personally appeared H. W. Hayden, who, being first duly sworn, doth depose and say that he is editor of the Demopolis Times, a newspaper published in the city of Demopolis, in the county of Marengo, in the State of Alabama, that the annexed and attached notice has been published in said The Demopolis Times, without cost to the State, at least once a week for four consecutive weeks, to-wit: In the issue of said newspaper published on May 29th, 1907, June 3rd, 1907, June 10th, 1907, June 17th, 1907, June 24th, 1907, July 4th, 1907.

H. W. Hayden,

Editor The Demopolis Times.

Sworn to and subscribed before me this the 18th day of July, 1907.

Harry Simon,
Notary Public.

By Mr. King:

S. 620. For the relief of J. C. Webb, Jr., and J. T. Ballow.

Local Legislation.

With notice and proof as follows:

Notice is hereby given that a bill will be introduced in the Legislature of Alabama at its July session for the relief of John T. Ballow and John C. Webb, Jr., refunding to them one hundred dollars out of the fine and forfeiture fund of Marengo county.

May 29, 1907.

Jno. C. Webb, Jr.

Jno. T. Ballow.

The State of Alabama, }
Marengo County. }

Before me, Harry Simon, a notary public in and for Marengo county, Alabama, personally appeared H. W. Hayden, who, being first duly sworn, doth depose and say that he is editor of The Demopolis Times, a newspaper published in the city of Demopolis, in the county of Marengo, in the State of Alabama; that the annexed and attached notice has been published in said The Demopolis Times, without cost to the State, at least once a week for four consecutive weeks, to-wit: in the issue of said newspaper published on May 29th, 1907, June 3rd, 1907, June 10th, 1907, June 17th, 1907, June 24th, 1907, July 4th, 1907.

H. W. Hayden,
Editor The Demopolis Times.

Sworn to and subscribed before me this the 18th day of July, 1907.

Harry Simon,
Notary Public.

By Mr. Miller:

S. 621. To appropriate fifteen hundred dollars for the purpose of furnishing and equipping the office of the mine inspectors of this State with necessary and suitable furniture, apparatus, machines, and all other necessary instruments.

Finance and Taxation.

By Mr. Miller:

S. 622. To amend section 2904 of the Code of Alabama as now amended.

Finance and Taxation.

By Mr. Reese:

S. 623. To empower the superintendent of education to give certificates of proficiency and of license to teach.
Education.

By Mr. Hays:

S. 624. To regulate the fees of the sheriffs for feeding prisoners confined in jail under charge or conviction of any indictable offense, and to provide payment therefor.

Finance and Taxation.

By Mr. Forrester:

S. 625. To provide for the construction, repairing, working and maintaining of the public roads of Henry county, Alabama, and to provide for the levying a special property and a per capita tax for same, and for the punishment of defaulters.

Local Legislation.

With notice and proof as follows:

NOTICE.

The State of Alabama, }
Henry County. }

Notice is hereby given that there will be introduced in the Legislature of Alabama when said body reconvenes on July 9, 1907, for the completion of the present term, a bill which shall provide:

1st. For the construction and better working, repairing and maintaining of the public roads of Henry county, Ala.

2nd. For the appointment or election of a general supervisor of said public roads, prescribing the duties and term of office of said supervisor and provide for his pay.

3rd. For the commissioners' court to furnish the necessary tools, road implements, machinery, wagons, mules and teams suitable for the proper construction, working, repairing, maintaining of said public roads, and to pay for same out of the proper funds of the county.

4th. For the payment by all male persons in said Henry county, who are over twenty-one and under fifty years of age of an annual per capita road tax of \$3.00 each, and the mode of collecting the same.

5th. For the levying by the commissioners' court of a road and bridge tax of one-fourth of one per centum ~~on all taxable property in said county.~~

6th. For the commissioners' court in defraying the expenses of properly constructing, working, repairing and keeping up the public roads and the public bridges and culverts of said Henry county to expend first the funds arising from the per capita tax, and the funds arising from the one-fourth of one per centum road and bridge tax; and if said funds be insufficient to keep said roads and bridges in good condition, then said commissioners' court shall expend such amount of the general fund of the county as may be necessary to keep said roads and bridges in proper repair for the convenience and interest of the public. (Signed) J. R. Espy.

Sworn to and signed before me on this 20th day of July, 1907.

R. W. Miller,
Notary Public.

PROOF.

The State of Alabama, }
Henry County. }

Before me, R. W. Miller, a notary public in and for said county, said State, personally appeared J. R. Espy, who, being duly sworn by me, deposes and says: That he is the owner, the editor and manager of the Abbeville Times, a weekly newspaper published on every Thursday in the town of Abbeville, in said county and State; that the notice hereto attached or pasted on this sheet and made a part of this affidavit, was published in his said paper for four consecutive weeks, on, to-wit: ~~The 18th day of July, the 11th day of July, the 4th day of July and the 27th day of June, 1907.~~

(Signed) J. R. Espy.

Sworn to and subscribed before me this 20th day of July, 1907.

R. W. Miller,
Notary Public.

By Mr. Horton:

S. 626. Authorizing the recovery and requiring the refunding of any money erroneously paid, or collected for taxes, whether paid under compulsion or protest or not.

Finance and Taxation.

REPORTS OF COMMITTEES.

Mr. Lusk, chairman of the standing committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:

S. 596. To repeal an act to repeal sections 3957, 3958, 3959, 3960, 3961, 3962 and 3963 of the Code of Alabama of 1896 in so far as the same apply to Jackson county, approved October 13, 1903.

Also,

S. 599. To authorize and empower the commissioners' court of Tallapoosa county to fix and regulate the tolls to be charged by the owners of the bridge across the Tallapoosa river at Tallassee, Alabama, for the use of said bridge by passengers and for vehicles, and for traffic, and for whatsoever may pass over the same, and to provide for the enforcement of such rates of toll, and to prescribe penalties for collecting, demanding or receiving tolls in excess of said rates fixed by said court of county commissioners.

Mr. Merritt, chairman of the standing committee on Local Legislation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:

H. 921. To regulate the fine and forfeiture fund of Escambia county and to better provide for the payment of State witnesses and officers fees in said county.

Also,

H. 971. To provide for the compensation of the solicitor for Mobile county, to be lected in 1910, and his successors in office.

Also,

H. 1038. To authorize the court of county commissioners of Wilcox county to purchase or acquire three or more ferries along the Alabama river in said county; to operate and maintain same for the public use.

Also,

H. 862. To provide for the payment of jurors in Clarke county, Alabama.

Also,

H. 990. To require the tax assessor and tax collector of Morgan county, Alabama, to make their round as required by law together, and providing notice of said round.

Also,

H. 1046. To amend section two of an act to constitute the city of Anniston a separate school district, and to provide a board of education therefor.

Also,

H. 890. To further prescribe the official duties of the deputy solicitor of Bibb county, Alabama.

Also,

H. 899. To validate claims against Clay county, Alabama, for work and labor, and material or supplies furnished said county under provisions of the recent Clay county road law, which has been declared unconstitutional, and authorize the commissioners' court to audit and allow such claims as preferred claims against the general fund of said county, and direct payment of same.

Also,

H. 1063. To amend section 11 of an act "To regulate the trial of misdemeanors in Sumter county," approved December 8th, 1882.

Also,

H. 901. To authorize the court of county commissioners of Clay county, Alabama, to pay annually on claims for public roads and bridges, an amount out of the general fund of said county, ~~not to exceed one-fifth~~ of said general fund, levied and collected in any one year.

Also,

H. 1061. To authorize the court of county commissioners of Sumter county to use any money in the county treasury not otherwise appropriated for the purpose of employing detectives or secret service men to ferret out and detect violations of the prohibition laws of said county.

Also,

H. 876. To divide St. Clair county into two chancery districts, to provide for holding court therein, to authorize the appointment of a register for each of said districts, and to prescribe his duties.

Also,

H. 902. To provide for the collection and disbursement of proceeds appropriated by law to the public schools of Coffee county from the dispensaries of said county.

Also,

H. 934. To repeal an act entitled "An act to provide for the establishing of a separate school district to be known as the North Birmingham district in Jefferson county, Alabama, and to provide for the selection of a board of trustees for said school district with certain duties and powers," approved March 4th, 1901.

Also,

H. 836. To amend an act, entitled an act to establish a separate school district, to be known as the Bethel school district, composed of a portion of Colbert, Lawrence and Franklin counties, Alabama, approved February 15th, 1899.

Also,

H. 1039. To authorize the court of county commissioners of Wilcox county to borrow money, not exceeding one-half of the county revenue of said county per annum.

Also,

H. 920. To amend section nine of an act entitled an act to authorize all incorporated towns and cities in Elmore county to establish and operate dispensary or dispensaries in such incorporated towns or cities, for the

purpose of buying and selling spirituous, vinous or malt liquors, and to provide for the distribution of certain profits arising therefrom, and to further regulate or prohibit the selling of such liquors in such county, approved February 9th, 1907.

Also,

H. 973. To amend section two (2) of an act entitled an act to amend an act entitled an act to create the office of revenue constable for Mobile county, and to prescribe his duties, approved Feb. 24th, 1887.

Mr. Overton, chairman of the standing committee on Commerce and Common Carriers, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report:

S. 598. To further define the powers and duties of the railroad commission of Alabama and to provide for its mode of procedure and prescribe penalties for violations of its orders.

Mr. Wilson, chairman of the standing committee on Mining and Manufacturing, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report:

S. 612. (With substitute.) To regulate the employment of children in mills, factories and manufacturing establishments in this State, and to provide for the inspection of rooms, places and premises wherein they are worked, and to adequately punish any violation of same.

Mr. Horton, chairman of the standing committee on Agriculture, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report:

H. 925. To provide for the working of the public roads in Hale county, Alabama, for levying a tax for same and how same shall be expended.

Mr. Jones, chairman of the standing committee on Privileges and Elections, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report:

S. 604. To amend section 1 of an act entitled an act "To define and prohibit the unlawful giving, issuing, using or receiving free passes, rebates, reductions or discounts for transportation by common carriers of passengers and to punish the unlawful giving, issuing, using or receiving the same," approved Feb. 14, 1907.

Mr. Wimberly, chairman of the standing committee on Public Health, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:

S. 531. To provide for proper sanitary conditions in hotels and restaurants in this State.

Also,

H. 812. To amend section eight (8) of an act entitled an act to amend, reconstruct, and provide for the enforcement of, the laws relating to the public health.

Mr. Blackmon, chairman of the standing committee on Military, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report:

S. 534. (With substitute.) To regulate the public oyster reefs and beds in the waters of Alabama; to provide for the establishment of a Board of Oyster Commissioners: to prescribe their duties, and provide for their compensation; to regulate the manner of taking and catching oysters on such public reefs and bedding grounds, and to prescribe the measure of oysters in the shell; to prescribe license fees for oyster catches; and for boats engaged in taking and catching oysters; to fix and prescribe a tax upon oysters canned and packed in this State; to provide for the protection and patrol of oyster grounds; to fix penalties for the violation of any of the provisions of this act; and to repeal section 3160 of the Code of Alabama, and to repeal section 3159 of the Code as amended by the act approved October 3rd, 1903.

Mr. McWhorter, chairman of the standing committee on Temperance, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:

H. 959. To prevent the shipment, transportation or delivery of spirituous, vinous or malt liquors or intoxicating bitters or beverages, from any point in the State of Alabama, to any person, firm or corporation in Lawrence county, Alabama.

Also,

H. 904. To prohibit and punish the selling, bartering or exchanging of spirituous, vinous or malt liquors, or intoxicating drinks in the county of Colbert, after the first day of August, 1907, except in dispensaries located in the cities of Tuscumbia and Sheffield, and the towns of Leighton and Cherokee, in said county, and to allow the sale of grape wine under certain conditions.

Also,

H. 917. To prohibit the sale of otherwise disposing of spirituous, vinous or malt liquors, intoxicating drinks, bitters or beverages, in Dale county, Alabama.

Mr. Miller, chairman of the standing committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:

H. 1189. To amend section 8 of an act entitled "An act to further amend the revenue laws of the State of Alabama," approved March 7, 1907.

Also,

H. 1205. To amend section 3915 of the Code as amended by an act entitled an act to better provide for the revenue of the State, approved March 4, 1903.

Also,

H. 1154. To amend section 9 of an act, entitled an act to further amend the revenue laws of the State of Alabama, approved March 7th, 1907.

Also,

H. 713. For the relief of L. W. Kolb, to refund certain moneys illegally collected from him in Dale county as State license.

Also,

H. 1130. To encourage the manufacture of calcium cyanamid (lime nitrogen) in the State, by exemptions from taxation for a period of ten years.

Also,

H. 1123. To exempt from taxation all the property, both real and personal, belonging to The Eastern Star.

Also,

H. 1150. To amend "An act to provide for the settlement, adjustment and refunding of the bonded indebtedness of municipal corporations."

Also,

H. 1129. To encourage the development of the various unused water powers in this State, by exemptions from taxation for a period of ten years.

Also,

H. 1211. To amend an act, entitled an act to further amend the revenue laws of the State of Alabama.

Also,

S. 570. To authorize the auditor on certificate of the board of county examiners to restore confederate pensioners to the pension list and pay unpaid pensions, where through mistake, omission or inadvertence dropped from or left off the list.

Also,

S. 507. (With substitute.) To set aside all moneys arising from the sale of fertilizer-tags, sale of licenses, or any other funds collected by the department of agriculture and industries paid into the State treasury, not otherwise appropriated, and six thousand (\$6,000.00) dollars from any funds in the treasury, not otherwise appropriated, for the use of the department of agriculture and industries for the purpose of holding farmers' institutes, conducting experiments, gathering statistics, paying the salary of the State chemist, printing and distributing bulletins and hand-books and for carrying out any laws now in existence or may hereafter be enacted for the betterment of the agricultural interests.

Also,

S. 338. (With amendment.) To amend sections 1876, 1877, 1878 and 1879 of the Code of Alabama of 1896.

Also,

S. 571. (With amendment.) For the relief of Jno. S. Böhner, a disabled and ex-confederate soldier of Pickens Co., Ala.

Also,

S. 595. To exempt from taxation all property of any person, firm or corporation who has heretofore patented ~~and owns exclusively, or has heretofore secured and~~ owns exclusively, or who shall hereafter patent and own exclusively, or shall hereafter secure and own exclusively the patent right on any article designed for the purpose of protecting human life and property, and which has not heretofore been manufactured for sale, except such property as is devoted exclusively to the manufacture of such article, and to exempt from taxation the stock held by stockholders of such corporation.

Also,

S. 608. To provide that no license or taxes of any character shall be required by the State, county or municipality from the Alabama Agricultural Association or from those who conduct business under contract with it on its grounds during the time its annual fair is actually in progress.

Also,

S. 603. To reimburse the governors contingent fund the amount expended therefrom in paying the funeral expenses of the late William L. Martin, who at the time of his death was Speaker of the House of Representatives, and to make an appropriation therefor.

The foregoing bills contained in said committee reports were severally read a second time and placed on the calendar.

RESOLUTIONS.

Mr. Reynolds offered the following resolution, to-wit:

Resolved, that Senate bill No. 419 amending section 1134 of the Code, relating to mutual building and loan associations, be made a special order for twelve o'clock of the next legislative day.

Which was read and referred to the committee on Rules.

Mr. Overton offered the following resolution, to-wit:

Resolved, that S. B. No. 598 be made a special, paramount and continuing order immediately after the report of the committees, on Wednesday, July 24, 1907.

Which was read and referred to the committee on Rules.

Mr. Thomas offered the following resolution, to-wit:

Resolved by the Senate, that, commencing today, the afternoon and evening sessions of the Senate hereafter be devoted to the consideration of the regular calendar; and that no special orders be considered except during the morning session, until the regular calendar has been disposed of; and that at the afternoon and evening sessions each Senator upon the roll call shall be allowed to call up from the regular calendar one general and one local bill, or two local bills.

Which was read and referred to the committee on Rules.

Mr. Reese offered the following resolution, to-wit:

Resolved by the Senate of Ala. that S. Bill No. 481 and H. B. 907 be set for special, paramount, continuing order for Thursday, July 25th, at 12:30 o'clock and 12:40.

Which was read and referred to the committee on Rules.

Mr. Leith offered the following resolution, to-wit:

Resolved, that H. 1129, to encourage water power developments, and H. 1130, to encourage the manufacture of lime of nitrogen, be made special orders for the next legislative day at 11 o'clock a. m., and from day to day thereafter at the same hour until disposed of.

Which was read and referred to the committee on Rules.

REPORT FROM COMMITTEE ON JOURNAL.

Mr. President:

The committee on Revision of the Senate Journal report that said committee, in session, has examined the

journals of the Senate for the 37, 38, 39, 40, 41 and 42 legislative days and find same correct, and further report that we find from said journals that the following local bills were not accompanied by notice and proof as required by the Constitution, to-wit:

S. 403 and 404, introduced by Mr. White on July 9, 1907; S. 442, introduced by Mr. Merritt on July 9, 1907; S. 521, introduced by Mr. Merritt on July 12, 1907; S. 607, introduced by Mr. Teasley on July 19, 1907.

M. L. Leith,
Chairman.

Mr. McWhorter offered the following memorial, to-wit:

To the Senate and House of Representatives of the Alabama Legislature:

Gentlemen:

We, the members of the Business Men's Bible class of the First Baptist church Sunday school of Montgomery, respectfully petition and memorialize your honorable body to pass at the present session of the Legislature some measure designed to secure the curtailment, or if possible, the abolition of the practice of carrying deadly weapons. The growing tendency of this evil all over the State as evidenced in the fearful record of crime is occasion for grave concern and alarm.

The hope of relief from the distressing condition in which the practice originates is entirely within legislation that is in your power to enact; without it the estimate of human life in Alabama is fast degenerating into popular contempt and the situation, brought about by the laxity of the laws and absence of remedial measures commensurate with the prevailing crime, is daily becoming more hopeless.

As exponents of a sentiment which deplores a practice so opposite to the teachings of Christian civilization and within ourselves voicing a protest, that expresses the feeling of the enlightened, God-fearing men and women of Alabama, we appeal to you as those who have within the present keeping the weal of the State

and the good of society, to pass such a law or system of laws, that will make the carrying of deadly weapons a felony in Alabama, and thereby check an evil and a menace that is fast threatening the peace of society, gradually destroying a regard for human life and usurping the foundation stone of the governmental fabric which is your province as law makers to regard and serve.

Respectfully submitted, L. Lasseter, B. F. Yarbrough, W. B. Davidson, W. M. Hudson, A. H. Eubank, R. J. Hudson, J. M. Dennis, H. H. Parker, D. H. Parker, Jeff Davis, Thos. L. Peach, H. L. Yelverton, J. C. Williams, Henry Englehardt, A. T. Wilson, L. K. Kinsey, H. F. Hammond, C. L. Boyd, A. J. Lamar, F. W. Reins, B. F. Parrott, W. W. Brams, E. W. Hausman.

Which was read and referred to the committee on Rules.

Mr. Miller offered the following resolution, to-wit:

Resolved, that the following bills in the order named be made the special, paramount, exclusive and continuing order for the next legislative day at 10 o'clock a. m., viz.: H. B. 1211 (Repeal tobacco tax); H. B. 1205 (Tax on Sleeping Car Co.); S. B. 603 (Funeral expenses Speaker Martin); H. B. 1154 (Money lenders); H. B. 1189 (Slot machines); S. B. 371 (Tag tax).

Which, under a suspension of the rules, was adopted.

REPORT FROM RULES COMMITTEE.

Mr. Gardner, from the committee on Rules, reported favorably:

S. R. 72. Resolved, that Senate bill 347, To establish a tuberculosis sanatorium in Ala.; and Senate bill 529 (Amending public health laws), be made special, paramount and continuing orders for the next legislative day at the hours of 12:15 and 12:30 p. m., respectively.

With the following amendment: Making the hour the second legislative day at 12:30 p. m.

Which was adopted.

Also, favorably:

S. R. 74. Resolved, that Senate bill No. 538 be set down for the next legislative day at 11:45 a. m. for a special and continuing order.

Which was adopted.

Also,

Resolved by the Senate, that House bill No. 1186 be ~~made a special and continuing order for 12 o'clock on~~ next legislative day.

Which was adopted.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

Mr. President:

The committee on Engrossed Bills report that they have examined the following Senate bills, 61, 196, 572, 547, and compared them with the original bills respectively and find the same to be correctly engrossed.

Robt. E. Spragins, Chairman.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Spragins, chairman of said committee, made the foregoing report, which was read and adopted and ordered spread on the journal.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

Mr. President:

The committee on Engrossed Bills have examined the following Senate bills:

S. 375. To repeal an act entitled an act to incorporate the town of Hayesville.

S. 385. To authorize the county of Limestone to construct public roads and to provide the method and manner of their construction and building.

~~S. 489. To appropriate the sum of thirty (\$30.00)~~ S. 489. To appropriate the sum of thirty (\$30.00) dollars for the relief of C. R. Gibson as a confederate pensioner for the year 1906, his name having been erroneously omitted from the pension roll as being dead and to reinstate him upon the pension roll of Pike coun-

ty as a pensioner under the act for the relief of needy confederate soldiers and their widows, approved February 10th, 1899.

S. 440. To appropriate the sum of thirty (\$30.00) dollars for the relief of I. Moody as a confederate pensioner for the year 1906, his name having been erroneously omitted from the pension roll, and to reinstate him upon the pension roll of Pike county as a pensioner under the act for the relief of needy confederate soldiers and their widows, approved February 10, 1899.

S. 445. To fix and provide for the salary of the judge of the city court of Selma.

S. 482. To regulate the practice in the circuit court of Walker county, Alabama; to provide rules of practice for said court; and to provide for drawing juries for said court.

And find same to be correctly enrolled.

Frank S. Moody, Chairman.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read at length by the secretary, signed the above Senate bills, the titles of which are set out in the foregoing report from the committee on enrolled bills, the reading at length of said bills having been dispensed with, by a two-thirds vote of a quorum of the Senate present.

TAKEN FROM ADVERSE CALENDAR.

On motion of Mr. Teasley, Senate bill No. 162:

S. 162. To make an appropriation of \$250,000.00 for the improvement of the State capital building and for the erection or acquisition of additional grounds and building or buildings for the use of the State, and to provide the manner in which said appropriation is to be expended.

Was taken from an adverse calendar, read a second time and placed on the calendar.

Yeas, 15; nays, 13.

Yeas:

Messrs:

Barbour	Glenn	King	Teasley
Bayles	Hayes	Moody	Thomas
Blackmon	Hihson	Reese	White
Gardner	Jones	Spragins	

—15.

Nays:

Messrs:

Forrester	Leith	Miller	Reynolds
Gunn	Lusk	McWhorter	Strother
Hamner	Merritt	Reid	Wilson
Heacock			

—13.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has adopted the following resolution:

By Mr. Foster:

H. R. 284. Resolved by the House, That the Senate be and is hereby requested to return to the House House bill No. 883.

And the House requests that the Senate accede to the request of the House, and return the bill, H. 883, to the House.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Lusk, the Senate concurred in the H. J. R. 284, the title to which, or a copy thereof, is set out in the foregoing message from the House, and the secretary was directed to forthwith return said bill to the House.

MESSAGE FROM THE GOVERNOR.

The Senate received the following communication from his excellency, the governor:

To the Senate:

In accordance with Senate resolution No. 70, I herewith transmit for information of the Senate copies of

the several reports of Dr. Shirley Bragg, the State inspector of jails, almshouses and cotton mills.

July 23, 1907.

B. B. Comer,
Governor.

GOVERNOR'S MESSAGE.

On motion of Mr. Thomas, the foregoing message from the governor made in accordance with Senate resolution No. 70, was received and read, and the report of Dr. Shirley Bragg, the State inspector of jails, almshouses and cotton mills, therein referred to, was ordered printed, for the information of the Senate, and the secretary was directed to have 300 copies printed.

Which said report is in words and figures as follows:

REPORT OF INSPECTOR.

Montgomery, Ala., May 31, 1907.

Hon. B. B. Comer,
Governor of Alabama,
Montgomery, Alabama.

Dear Sir:

Please find enclosed reports of some of my inspectors. I find many children evidently under age working in mills. However, the reports speak for themselves.

Respectfully submitted,

Inspector.

Montgomery, Ala., May 31, 1907.

Hon. B. B. Comer,
Governor of Alabama,
Montgomery, Alabama.

Dear Sir:

I have examined the Anniston Mfg. Co., and find spindles 13,758, making sheeting, shirting and drilling, also make yarn, which are consumed by the mill. Ventilation by windows only; labor employed 263, about 70 percent females. This mill pays every two weeks, pay roll about \$1,250.00. Run no commissary. Closets are flushed and kept in better condition than any mill I have inspected. Operative houses 73, and rent from \$2.50 to \$6.50 per month. No closets in these houses. The yards

are cleaned by the city twice a week. The mill has a kindergarden school and the public schools adjoin the village. Mill furnishes a church. Use 15 bales of cotton per day. Looms 320, work no night shift. Work hours 6 a. m. to 5:30 p. m. with 45 minutes for dinner. Stop at 4 p. m. on Saturday. Number of children worked in this mill under 15 years of age about 65. Mill produces about 20,000 yards a day.

Respectfully submitted.

Montgomery, Ala., May 31, 1907.

Hon. B. B. Comer,
Governor of Alabama,
Montgomery, Alabama.

Dear Sir:

I beg leave to report that I have examined the jail in Baldwin county and find it in good condition, six prisoners alone being confined therein. I have no recommendation to make in regard to this jail.

Respectfully submitted.

Montgomery, Ala., May 31, 1907.

Hon. B. B. Comer,
Governor of Alabama,
Montgomery, Alabama.

Dear Sir:

I have examined the Calhoun County Jail and find this jail is kept in only fair condition. Ventilation amounts to nothing. There are no beds. Those confined therein sleep on light mattresses on the floor. Blankets, etc., are exceedingly poor, heating arrangements bad. A furnace should be put in. Jail very dark, sky-lights should be put in to admit light. Spittoons should also be put in cells. Jailer has some disinfectants. Closets are flushed to a certain extent but are not clean, and bath tubs and sewerage should be changed.

Respectfully submitted.

Montgomery, Ala., May 31, 1907.

Hon. B. B. Comer,
Governor of Alabama,
Montgomery, Alabama.

Dear Sir:

I have the same report to make on the conditions of the jail of Colbert county with the exceptions of anything it is worse than that located in Lauderdale county. It is totally unfit for the confinement of human beings. I found eleven prisoners confined therein, three of whom were women, one white and two black. From appearances the jailor is endeavoring to keep it in fair condition. I found that the commissioners' court furnished him with a sufficiency of disinfectant, and I learned from the sheriff that this honorable body were preparing to build a new jail which is sadly needed. I shall take the matter up with that corps.

Respectfully submitted.

Montgomery, Ala., May 31, 1907.

Hon. B. B. Comer,
Governor of Alabama,
Montgomery, Alabama,

Dear Sir:

I have inspected the jail in Elmore county located at Wetumpka. I find it to be an old and dilapidated building with very poor sanitary accommodations. However, the present sheriff is endeavoring to keep it in better condition than it has been kept in the past. I will further state, that the board of revenue of Elmore county are now constructing a new jail which is sadly needed, the old jail being totally unfit for the confinement of human beings.

Respectfully submitted.

Montgomery, Ala., May 31, 1907.

Hon. B. B. Comer,
Governor of Alabama,
Montgomery, Alabama.

Dear Sir:

I have examined the Jefferson county poor house and find there about seventy inmates apparently well taken

care of. They are supported by the county and the superintendent is paid by the board of revenue, to look after them. I beg leave to call your attention to the fact that there are several violently insane patients confined there that should be transferred to the asylum. I was informed by the keeper of the alms-house, and also by the board of revenue that repeatedly they have made application to those in charge of the Insane Asylum but have never been able to get these parties transferred. I suggest that the superintendent of the Insane Asylum attention be called to this fact, as this is no place for them.

Respectfully submitted.

Montgomery, Ala., May 31, 1907.

Hon. B. B. Comer,
Governor of Alabama,
Montgomery, Alabama.

Dear Sir:

Birmingham Cotton Mills, I. R. Adler, Owner.

This plant has a capacity of 3,000 spindles making yarn only and uses from 16 to 25 bales of cotton per week. I find it to be within the corporate limits of the city of Birmingham and the working hours are from 6 a. m. to 6:20 p. m., with the exception of Saturdays when work is stopped at 3 o'clock. Pay day is every Saturday; average number of laborers about fifty. Ventilation only window, a one-story building. Sanitary closets detached from the mill. No sewers; being in the city limits the city keeps clean the premises of the operatives. Water is also supplied by the city water works.

I found several children working in the mill whom I am informed by the superintendent go to the city schools. The average amount of wages paid is from \$1.15 to \$1.20 per day. No commissary. In regard to labor is about equal between males and females.

Respectfully submitted.

Montgomery, Ala., April 15, 1907.

Hon. B. B. Comer,
Governor of Alabama,
Montgomery, Alabama.

Dear Sir: --

I have inspected the plant of the Avondale Cotton Mills and beg leave to report that conditions there with the exceptions of the sewerage, I found to be good. This mill has forced ventilation and I found a minimum both of dust and lint. I spent quite a time in the pickery room and I must congratulate the manager on the conditions therein. The room I found not only clean but free from dust and flying lint. In the matter of sewerage the tube-system is used at present as the city sewers have not yet been completed that far out. I am, however, reliably informed that within the year this be remedied.

This mill maintains a primary and grammar school, also a kindergarden with a very fair attendance of pupils. It also maintains a day nursery which is in the hands of a competent lady, and which I found scrupulously clean.

The working hours are from 6 a. m. to 12 a. m. and from 12:30 to 6 p. m., except on Saturdays when the same morning hours are observed but work ceases at 3 o'clock in the evening.

The buildings in which the operatives live are not only good houses but kept in good condition.

I beg leave to say that I inspected thoroughly everything connected with this mill and have no criticism to make except as to the sewerage which at present is unavoidable.

Respectfully submitted,

Inspector.

Montgomery, Ala., April 15, 1907.

Hon. B. B. Comer,
Governor of Alabama,
Montgomery, Alabama.

Dear Sir: --

I have made a close and thorough inspection of the Jefferson county jail and beg leave to report that it is

totally unfit from every standpoint for the confinement of human beings, in fact it is unfit for the use of animals of any kind. I found confined in this jail 19' black male prisoners, 49 white males, 3 white women and 20 black, making a total of 263. The present capacity for this jail should not be over one hundred prisoners. The sewerage is bad beyond description, the building half lighted, ~~while the ventilation virtually amounts to nothing.~~ I am glad to report that the sheriff and his jail keeper are doing all in their power to keep the building in good condition, in fact there has been a wonderful improvement in regard to cleanliness. I also desire further to state that the food is good and sufficient variety.

The board of revenue is undoubtedly cognizant of conditions existing and have asked my aid in putting matters in better shape. I shall cheerfully render them any service in my power.

Respectfully submitted,
Inspector.

Montgomery, Ala., July 6, 1907.

Hon. B. B. Comer,
Governor of Alabama,
Montgomery, Alabama.

Dear Sir:

I have visited the Ashcraft Cotton Mills located at Florence, Alabama, said mills making sheeting and with a total capacity of 6,240 spindles. They have 200 looms. The ventilation is by windows and poor. Closets in bad condition, and I was informed were cleaned only twice a week and work done by the city. This mill works an average of about 133 people nearly equally divided between male and females. They pay off every week. Run no commissary and their houses are rented by the room at thirty cents per week. I found a few children in this mill, not a great many evidently under age. I was informed by the superintendent that being in close proximity to the city that they attended the city schools. No night work is done here and the working hours are from 6 a. m. to 6 p. m. with thirty minutes

for dinner with the exception of Saturdays when the mill closes down at twelve.

I also inspected the Cherry Cotton Mills at this place, contains 11,000 spindles and makes yarns only. They have forty-five factory houses which rent at about \$3.00 per month. Work a few more females than males. The ventilation and sanitation in this mill is very poor; closets in bad condition with no flushing whatever, and cleaned by the city.

I was informed by the assistant superintendent that there are nine children under twelve years of age working in this mill. The hours run from 6 a. m. to 6 p. m. with forty minutes for dinner, and on Saturday work is stopped at twelve o'clock. Pay day is every two weeks.

Respectfully submitted.

Montgomery, Ala., July 6, 1907.

Hon. B. B. Comer,
Governor of Alabama,
Montgomery, Alabama.

Dear Sir:

I have inspected and examined thoroughly the jail of Lauderdale county and find it a small and antiquated affair, however, I only found four prisoners confined therein. The sanitation and ventilation is poor and the jail needs remodeling entirely. I shall take this matter up with the commissioners of Lauderdale county.

Respectfully submitted.

Montgomery, Ala., May 31, 1907.

Hon. B. B. Comer,
Governor of Alabama,
Montgomery, Alabama.

Dear Sir:

I have examined the jail in Mobile county and find it in as good condition as the building will permit, the number of prisoners being seventy-three. The food seems to be good and of sufficient quantity. A new jail is being built in this county, which according to my measurement is 79 by 101 feet, and with the exception of the top of the building appears to be fire proof. The

ventilation will be good and when I say this, I mean forced ventilation by fan. This prison is to be heated by steam.

Respectfully submitted.

Montgomery, Ala., May 31, 1907.

Hon. B. B. Comer,
Governor of Alabama,
Montgomery, Alabama.

Dear Sir:

I have examined the Barker Cotton Mills and find spindles 14,496, looms 325, cotton used, 10 bales per day, makes sheeting and diaper-cloth, labor white, number of hands worked 200, male and female, about equally divided, pay roll averages about \$1,000 per week. I find between fifty and seventy-five children working under 15 years of age. Ventilation good, closets detached and supplied with water from tank. Operatives houses 54, and rented by rooms at 35 cents per week. Mill has school, runs eight months per year. Work 6 a. m. to 6 p. m. with a stop of forty minutes for dinner, except on Saturday when they stop at 4 o'clock, no night shift. This mill runs a commissary. Quite a number of children below age are working here.

Respectfully submitted.

Montgomery, Ala., July 6, 1907.

Hon. B. B. Comer,
Governor of Alabama,
Montgomery, Alabama.

Dear Sir:

I beg leave to report that I have revisited according to your suggestion the cotton mills located in Mobile county. I found in the Barker Cotton Mill eleven children evidently under age, and to which I called the attention of the superintendent.

At the Mobile Cotton Mills I found thirteen children under age and was assured by Mr. Watters, the president of this company, that if I would issue an order for their discharge that he would see that said order was carried out. I beg leave to say that I did issue this or-

der, and I am satisfied that he has carried it out. I have reported heretofore on the sanitary condition these two mills.

Respectfully submitted.

Montgomery, Ala., June 1, 1907.

Hon. B. B. Comer,
Governor of Alabama,
Montgomery, Alabama.

Dear Sir:

I have inspected the "Mobile Cotton Mills" located about five miles from the city. This mill works about one hundred hands and is the first mill in the State in which I have found black and white operatives working together. I will state, however, that the majority are white females. The pay roll, I was informed by the superintendent averaged about \$1.00 per day. The ventilation is very poor but all closets are properly flushed. The mill does not run at night. I found several children evidently under age working in the mill, but as in other mills I found the superintendent in possession of an affidavit as to age, etc.

Respectfully submitted.

Montgomery, Ala., May 31, 1907.

Hon. B. B. Comer,
Governor of Alabama,
Montgomery, Alabama.

Dear Sir:

I have examined the Marble City Mills, spindles 4,000, make yarn only, ventilation fair, labor about 70, male 35 and female about the same. Pay roll per week \$375.00. Outside closets at present, but the city is building a sewer and when completed will be connected and water used in the closets. Houses 25, rent \$2.50 to \$6.00 per month. No school run by mill and no night shift. Work hours 6 a. m. to 6 p. m. with 30 minutes for dinner. No commissary. Employ a few children in the mill.

Respectfully submitted.

Montgomery, Ala., May 31, 1907.

Hon. B. B. Comer,
Governor of Alabama,
Montgomery, Alabama.

Dear Sir:

I have examined the Chinnibee Cotton Mill and find 5,200 spindles. This mill makes yarn only. Ventilation by window and only fair; employs from 75 to 100 laborers, male and female about equal. Pays every two weeks. Number of operative houses, 12. No rent is charged and water is furnished to the operatives. There is no school and no church. This mill uses about 45 bales of cotton per week. Work hours from 6 a. m. to 6 p. m. with thirty minutes for dinner. Mill closes on Saturday at 12 o'clock. I found few children in this mill.

Respectfully submitted.

Montgomery, Ala., May 31, 1907.

Hon. B. B. Comer,
Governor of Alabama,
Montgomery, Alabama.

Dear Sir:

I have examined the Talladega Cotton Factory and find 5,000 spindles, make yarns, ventilation is by window and fair, labor 51; male and female about equal. Pay roll a week about \$350.00, this paid every two weeks. No commissary. Closets out of building and flushed with water. Operative houses 26 are rented by the room for 25 cents per week. The premises kept in order and the water furnished by the company. The company furnishes no church. No night shift. Work hours 6 a. m. to 6:30 p. m. On Saturday the mill stops at 12 o'clock but pay for full day. I find only a few children in this mill. Number of bales cotton used in a week, 44.

Respectfully submitted.

Montgomery, Ala., May 31, 1907.

Hon. B. B. Comer,
Governor of Alabama,
Montgomery, Alabama.

Dear Sir:

I have examined the Talladega county jail and find the condition fair. Upon my inspection I found that they were installing a new system of sewerage in the jail which add very greatly not only to the comfort but to the health of those confined therein. I have therefore no comment to make.

Respectfully submitted.

Montgomery, Ala., May 31, 1907.

Hon. B. B. Comer,
Governor of Alabama,
Montgomery, Alabama.

Dear Sir:

I have examined the Highland City Mills, Talladega, Ala., and find spindles 5,372, make yarn alone. Ventilation by window and only fairly good. The employes are from 80 to 100, male and female about equally divided. Pay-roll amounts to about \$375 per week which is paid about every two weeks. The company runs no commissary. The closets are properly flushed. Operative houses 20 which are rented by the house from \$4.00 to \$5.00 per month. The company furnishes water and also keeps the premises in order. This company has no school or church. The superintendent informs me that they use about 45 bales of cotton per week. The work hours are from 6 a. m. to 6 p. m. with 30 minutes for dinner and on Saturday the mill closes down at 12 o'clock. I found few children in this mill.

Respectfully submitted.

Montgomery, Ala., May 31, 1907.

Hon. B. B. Comer,
Governor of Alabama,
Montgomery, Alabama.

Dear Sir:

I beg leave to report to you that I have examined the cotton mill known as the Sycamore Mill, Sycamore, Ala.,

spindles 14,816. This mill makes yarns. The ventilation is by windows and fairly good. Employes about 150 male and female about equal. This mill pays their employes every week and the pay-roll amounts to about \$800.00. Runs a commissary. The sanitary condition of the mill is fairly good, having a water supply. Operative houses 85, for which the operatives pay 25 cents ~~per week per room and use spring and well water.~~ Surface closets and premises are kept in order by the mill. The mill also furnishes a school and a church and use about 70 bales of cotton per week. Work hours are from 5:30 a. m. to 6:10 p. m. with 40 minutes for dinner. On Saturday the mill closes down at 12 noon. No children under 15 are supposed to be worked in this mill, but I saw several that I am satisfied were under this age. No night shift is worked.

Respectfully submitted.

Montgomery, Ala., May 31, 1907.

Hon. B. B. Comer,
Governor of Alabama,
Montgomery, Alabama.

Dear Sir:

I have examined the poor-house in Talladega county and beg leave to report that some improvements could be made therein. From the best information obtainable, I was informed that the superintendent of the poor-house was paid so much per month for each inmate. I will suggest that the board of revenue or county commissioners should take the matter in hand and pay the keeper of the poor-house house a stated salary, furnishing everything. We have the poor with us always, and as a general rule without criticising the keeper of the poor of Talladega county, whom I believe to be a good man, I think the county should take care of its poor and pay him a stated salary for the same.

Respectfully submitted.

Montgomery, Ala., June 1, 1907.

Hon. B. B. Comer,
Governor of Alabama,
Montgomery, Alabama.

Dear Sir:

I have inspected the "Central Mills" located at Sylacauga, Ala., which mill makes yarn alone. I beg leave to state that the ventilation is fairly good. The closets are outside of the mill and properly flushed. I find fifty-one houses for the operatives with a rental of twenty-five cents per room.

There has been no school since last fall. The mill furnishes a church and a minister. Working hours are from 5:40 a. m. to 6:30 p. m., except on Saturdays when work is stopped at noon. I find fewer children in this mill than any that I have inspected. I also further find a better appearing class of labor than at any mill so far inspected. The superintendent informed me that it was not the policy of this mill to employ children under the age required by the statute.

Respectfully submitted.

Montgomery, Ala., June 8, 1907.

Hon. B. B. Comer,
Governor of Alabama,
Montgomery, Alabama.

Dear Sir:

I have inspected the Elmore county jail located at Wetumpka. I found only four prisoners confined therein and with the exception of one who was suffering from epilepsy the health of the others appeared to be good. The ventilation and sewerage of this jail is worse than bad, however, the jailer is keeping it in as cleanly condition as possible. This county is building a new jail and as they are apparently making every effort to remedy existing conditions, I shall make no further comments.

Respectfully submitted,
SHIRLEY BRAGG,
Inspector.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following Senate bills:

S. 440. To appropriate the sum of thirty dollars (\$30) for the relief of I. Moody as a confederate pensioner for the year 1906, his name having been erroneously omitted from the pension roll, and to reinstate

him upon the pension roll of Pike county as a pensioner under the act for the relief of needy confederate soldiers and their widows, approved February 10th, 1899.

S. 439. To appropriate the sum of thirty dollars (\$30.00) for the relief of C. R. Gibson as a confederate pensioner for the year 1906, his name having been erroneously omitted from the pension roll as being dead, and to reinstate him upon the pension roll of Pike county as a pensioner under the act for the relief of needy confederate soldiers and their widows, approved February 10th, 1899.

S. 375. To repeal an act entitled an act to incorporate the town of Haynesville.

S. 482. To regulate the practice in the circuit court of Walker county, Alabama, to provide rules of practice for said court and to provide for drawing juries for said court.

S. 385. To authorize the county of Limestone to construct public roads and to provide the method and manner of their construction and building.

S. 445. To fix and provide for the salary of the judge of the city court of Selma.

And herewith returns same to the Senate.

S. 500. To fix the time of holding the courts in the Third judicial of Alabama.

And returns same herewith to the Senate.

Cyrus B. Brown,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bill and ordered same sent forthwith to the Senate without engrossment:

H. 1307. For the relief of tobacco dealers other than dealers who conduct tobacco and cigar stands, who have paid the license tax under the bill approved March 7th, 1907, entitled an act to better provide for the revenue of the State.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

The House bills in the foregoing House message were severally read once and referred to appropriate standing committees as follows:

H. 1307, to Finance and Taxation.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bills:

H. 894. To prohibit any person who holds the office of justice of the peace, or any other office where authority is given to issue warrants of arrest, from acting as attorney in cases where the complaint against the defendant was made before such person, and the warrant of arrest was issued by him, in his official capacity.

And sends the same to the Senate.

H. 953. To provide how the salaries of circuit judges whose salaries are partly paid by the counties in which said judges hold court, shall be paid.

And sends the same to the Senate.

H. 1232. To make further provisions for defraying the expenses of the Legislature.

H. 906. To appropriate a sum of money to pay for the stationery and stationery supplies used by the Legislature of Alabama during this present session.

H. 628. To amend sections one (1) and four (4) of an act entitled an act to amend sections 1116 (1547), 1117 (1548), 1118 (1549), 1119 (1550), and 1120 (1551) of the Code of Alabama of 1896, approved February 28th, 1903.

H. 1083. To make an appropriation for furnishing and equipping certain of the offices and departments in the State capitol.

H. 1198. To amend sections 17 and 18 of an act to authorize cities, towns and other municipal corporations to make certain improvements on the sidewalks, streets, avenues, alleys, highways or other public places of such city, town or other municipal corporation; to construct sewers, to assess the cost of such improvements, or any part thereof, upon the property abutting such street, avenue, alley, highway, or other public place or drained by such sewers or against the right of way of any railroad so improved or drained by such sewers; to make such assessments a lien on such property and to regulate appeals from such assessments; to provide methods for the enforcement of such lien and the payment of such assessment and penalties; and to authorize the issue of bonds to pay for such improvements.

H. 1107. To appropriate thirty-five hundred dollars (\$3,500.00) for the incidental and contingent expenses to be disbursed on the order of the governor.

H. 1094. To amend sections 1 and 4 of an act to appropriate annually \$67,000 or so much thereof as is necessary to aid rural school districts in the State to erect or repair public school houses, approved March 2, 1907.

H. 1310. To make an appropriation for the payment of sundry balances and to provide for the completion of the improvements on the State capitol building.

H. 1322. To provide for compulsory pilotage on all vessels and crafts crossing the outer bar of Mobile bay, except vessels engaged in American coastwise trade, and to repeal all laws in conflict therewith.

H. 1178. To establish and regulate the Sylacauga division of the circuit court of Talladega county, confer upon it chancery jurisdiction, define the territorial

limits of its jurisdiction, fix the time and place for holding said court, providing for drawing and empaneling juries therein, and describe the liabilities of persons residing within its territorial jurisdiction to jury service, and the rules of procedure in said court.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that at the adjourned session of the Legislature of Alabama to be held on the 9th day of July next there will be introduced a bill to be entitled an act to establish and regulate the Sylacauga division of the circuit court of Talladega county, confer upon it chancery jurisdiction, define the territorial limits of jurisdiction, fix the time and place of holding said court, provide for drawing and empaneling juries therein, and prescribe the liability of persons residing within its territorial jurisdiction to jury service and the rules of procedure in said court. The substance of the proposed law is to provide that terms of the circuit court of Talladega county shall be holden at Sylacauga as well as at Talladega; the court so holden at Sylacauga to be known and called the Sylacauga division of the circuit court of Talladega county, and to have and exercise within the following limits of said county, to-wit: all that part of precinct number nine (9) and of precinct number twelve (12) lying south of a line beginning at the north-east corner of section twenty-two (22) in township twenty (20) of range four (4) running thence west to the north-west corner of section nineteen (19) same township, thence south to the north-east corner of section twenty-five (25) in township twenty (20), range three (3), thence west to the north-west corner of section twenty-seven (27), in township twenty (20), of range two (2), on the east bank of Coosa river; also all of precincts ten (10), eleven (11) and thirteen (13) of said county as now constituted, all the power and jurisdiction of circuit and chancery courts, when exercising the jurisdiction of a circuit court, said

court to have exclusive jurisdiction and when exercising the jurisdiction of a chancery court, said court to have concurrent jurisdiction with other courts of like jurisdiction within said county, of causes of action arising within the territory above named or where the material defendant resides therein and of actions for the recovery of real or personal property or damage thereto situated therein and of appeals from justices of the peace and

other officers residing therein and of all criminal offenses committed therein, provided that in civil cases when the defendant resides within said territory and the cause of action arose without the same, or when the defendant resides without said territory and the cause of action arose within the same, or when there are more than one material defendant some of whom reside within and some without said territory, or where the property involved is situated partly within and partly without said territory then said court shall have jurisdiction concurrent with other courts of like jurisdiction in said county and suits may be brought in either of said courts at the option of the plaintiff; and provided further that when on any trial it is shown that suit was not brought in the court having jurisdiction thereof the court shall on motion of either party transfer the case to the court in which the suit should have been originally brought, which last named court shall proceed and try the same as if it had been originally brought there; the regular terms of said court to be held on the first Mondays in January and July of each year and may continue three weeks or until the business of the term is disposed of, special and adjourned terms may be held as now provided by law; the first week of each term to be non-jury and devoted to the settlement of pleadings, the trial of non-jury and chancery cases; the second week to the trial of civil jury cases, and the third week to the trial of criminal cases with a jury; the judge to have authority to set down any case for trial during any week of the term in order to dispatch the business of the court, and to pass upon and decide either in term time or in vacation any question involved in any pleadings submitted, also any chancery case or motion for a new trial or any

case tried without a jury, his decision in such cases when made in writing and entered on the minutes, to have the same force and validity as if the same had been made in term time; the judge to have authority to prescribe the order of business in said court and to adopt rules of practice therein not inconsistent with said act; juries for said court to be drawn from the qualified citizens of said county residing within the territorial limits of the jurisdiction of said court and persons residing within said territory to be exempt from jury service in any other court of like jurisdiction in said county. The commissioners' court of said county directed and required to provide a jury box and jury roll for said court as now provided by law for circuit courts in this State wherein and on which they shall place the names of every persons residing within the territorial jurisdiction of said court qualified to serve as a juror and therefrom they shall provide all juries to serve in said court who shall be drawn, summoned and empaneled as now provided by law in the circuit courts of this State; grand juries to be drawn and summoned for the second week of each term of said court and petit juries for the second and third weeks of said term and for such other weeks thereof as the presiding judge may designate by an order entered upon the minutes of said court; the clerk of the circuit court of said county either in person or by deputy shall keep an office in the place provided for holding said court; such deputy to be employed by the clerk at his own expense and the clerk to be responsible for his official acts; such deputy to have power and authority to do and perform in the name of the clerk all acts and duties, judicial and ministerial, of every kind and description, in reference to causes pending in said court which said clerk could lawfully do and perform, including generally the power to take and certify affidavits, acknowledgments and other like powers; said clerk or his deputy to keep in said office all the dockets, books, and papers pertaining to all causes pending in said court and perform all the duties in reference thereto and be liable to the same penalties and receive the same fees and compensation prescribed by law

for like services by the clerk of the circuit court and register in chancery in the circuit and chancery courts of this State; the sheriff of said county either in person or by deputy to keep an office in the place provided for holding said court, in which he shall keep all dockets, books and papers pertaining to causes pending in said court and perform the same duties and be liable to the same penalties and receive the same compensation and fees therefor as provided for like services in the circuit and chancery courts; the solicitor of the judicial circuit which embraces said court attend the terms of said court and perform therein the duties required by law of solicitors; said court to be held and the offices of the clerk and sheriff and the records, books and papers thereof to be kept at the place provided by law for holding said court in Sylacauga, which shall be under the exclusive control of the court of county commissioners for said county so long as the same is used for holding said court therein. The court of county commissioners of said county to provide all necessary dockets, and other supplies for the use of said court and its officers as provided by law for the other courts and its officers as provided by law for the other courts of said county; in all civil actions the defendant shall demur or plead within thirty days after service is perfected upon him, either by personal service or publication; and the sheriff shall serve instantly all process issued from said court and return the same without delay; all garnishees shall file their answer within thirty days after service of same is made upon them, and all process issued from said court in civil cases shall require the defendant to plead, answer or demur within thirty days after service of the same upon him. All cases brought by appeals or certiorari from justices of the peace or other inferior courts into said court shall stand for trial when reached on the regular call of the docket at any time after thirty days notice of the taking of said appeals shall have been given to the adverse party and all civil cases shall stand for trial when reached on the regular call of the docket at any times after thirty days from the date of service upon the defendant. In all civil cases the is-

sues and questions of fact shall be tried by the court without the intervention of a jury be demanded by the plaintiff at the commencement of the suit or by the defendant or other person at the time he appears or when the case is brought into said court by appeal by the appellant at the time he takes such appeal or by the opposite party within ten days after he is served with notice of such appeal; such demand for trial by jury to be endorsed in writing in the cause; all criminal cases brought in said court where defendant is charged with a misdeed shall be tried by the court without the intervention of a jury unless the defendant within ten days after his arrest shall demand in writing a trial by jury; all appeals from justices of the peace or other inferior officers within the territorial jurisdiction of said court and all process issued by them returnable to the circuit or city courts of said county shall be returnable into said court and all warrants or writs of arrest issued for criminal offenses committed within said territory of which they have not final jurisdiction shall be made returnable to said court. In all criminal cases where the defendant at the time of his arrest failed or refuses to make bond for his appearance or when he is surrendered by his bondsmen the sheriff or other officers making such arrest or receiving such defendant into his custody shall confine him in the county jail at Talladega, and where such defendant is arrested for an offense committed within the territorial jurisdiction of said courts, he shall return into said court the warrant or other process under which such arrest was made, if said defendant failed or refused to make bond for his appearance to answer such criminal charge within thirty days after his arrest or within thirty days after an order is legally made fixing the amount of bond necessary to secure his release from custody, the clerk shall forward to the clerk of the city court of Talladega all the papers on file in said court in said cause together with certified transcript of the orders of court made therein, a list of the witnesses, and an itemized statement of the cost in said

court, and thereafter said cause shall stand for trial and be tried in the city court of Talladega as if it had been originally brought in said court, provided that if the defendant shall thereafter make bond and thereby secure his release from custody said cause shall on motion of the solicitor or of the defendant be transferred for trial to the Sylacauga division of the circuit court of Talladega county, ~~and be there tried as if the same had never~~ been transferred from said court, and provided further that no such transfer shall be made if in the opinion of the judge of said court the end of justice will thereby be defeated or such order should not be made. In case such order of retransfer is made the clerk of said city court shall forward to the clerk of the Sylacauga division of the circuit court the same papers, etc., as above provided. Jurors and witnesses attending said court shall be entitled to the fees and be paid in the same manner as provided by law to jurors and witnesses in the circuit and city court of Talladega; any civil cause or criminal case where the defendant is out on bond pending in the circuit or city court of said county which arose within the territory jurisdiction of said Sylacauga division or where the defendant resided therein at the time said suit was instituted shall on motion of either party made within sixty days after the approval of this act be transferred to said Sylacauga division and there proceed with as if the same had originally been brought in said court; in the trial of any cause in said court without a jury in addition to the question which may be presented to the supreme court of the State for review either party may by bill of exceptions also present on appeal for review the conclusions and judgments of the court upon the evidence and the supreme court shall review the same without any presumption in favor of the court below on the evidence, and if they find that there is an error, they shall render such judgments the court below should have rendered or reverse and remand the same for further proceedings as to the supreme court shall seem right; all laws in regard to the circuit and chancery court of this State not in conflict with said act shall apply to and govern in said court, and all laws, general or special, in conflict with said act are thereby repealed.

The State of Alabama, }
 Talladega County. }

Before me, F. M. McDonald, a notary public in and for said county, personally appeared W. R. Jordan, known to me to be the editor and owner of the Sylacauga Advance, a newspaper published at Sylacauga in said county, who, being by me duly sworn, deposes and says that the foregoing notice (hereto attached) of a bill to be entitled an act to establish and regulate the Sylacauga division of the circuit court of Talladega county, to confer upon it chancery jurisdiction, define the territorial limits of its jurisdiction, fix the time and place of and for the holding of said court; to provide for drawing and empaneling juries therein and to prescribe the liability of persons residing within its territorial jurisdiction to jury service and the rules of procedure in said court, was published once a week for four consecutive weeks in said newspaper next before the making of this affidavit beginning with its issue of June the 12th, 1907, and on, to-wit: June the 12th, 19th, 26th and July the 3rd, 1907.

W. R. Jordan, Editor.

Sworn to and subscribed before me this the 5th day of July, 1907.

F. M. McDonald,
 Notary Public.

H. 1017. To authorize Talladega county, Alabama, to build and construct macadam, chert and gravel public roads, and the necessary bridges, culverts and drainways therefor, and to issue bonds of said county to aid in the construction and building thereof.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Is hereby given that application will be made to the Legislature of Alabama, at its adjourned sitting in July, 1907, for the enactment into law of a bill to be entitled: "An act to authorize Talladega county, Alabama, to build and construct, macadam, chert and gravel pub-

lic roads, and the necessary bridges, culverts and drainways therefor and to issue bonds for said county to aid in the construction and building thereof."

The said proposed act in substance provides for the appointment by the governor of a road commission consisting of three resident citizens of the county one of whom shall be the president of said board or commission, which shall have charge of the building and construction of said roads, or parts of public roads to be built, changed or re-located and the character of road, whether macadam, chert or gravel shall be, at the direction of said board, and built for the best interests of the general public and not confined to any one line of road, or to any particular part of the county.

That for the purpose of carrying out the purposes of said act, the county shall be authorized through its court of county commissioners to issue thirty year bonds, bearing interest at not exceeding 5 per cent per annum, payable semi-annually at a bank or banking house in the cities of Talladega and Birmingham, Alabama, and New York, State of New York, the issuance and sale of said bonds to be contingent on an election to be held in the county of Talladega of a majority of the qualified electors of said county, voting at said election, voting in favor of the issuance of said bonds in the amount of \$250,000.00. The said election to be held, not earlier than the latter part of the year 1908; that if, at such election, a majority of the qualified electors of said county voting thereat shall be against the issuance of said bonds, then this proposed act shall not be operative and no bonds issued. Said bonds, if issued, to be redeemable at the option of the court of county commissioners after twenty years from issuance.

The said bill further provides that the said commission or board shall employ an engineer to re-locate or change present roads and to give the grade thereof, and place the same on the best ground for permanence, ease of repair and with the best drainage. That said commission shall let contracts after due notice to the lowest responsible bidders, taking bonds from contractors to secure the faithful performance of contracts; that when

no contract is bid for, or the bid is unreasonable and rejected, the commission may have the work done to the best advantage, at their discretion, no member of the commission to be a contractor or in any way interested in a road building contract.

The president of the commission shall be the custodian of the funds arising from the sale of said bonds to the extent of \$25,000.00 only at one time, and shall give bond approved by the judge of probate in the sum of \$25,000.00 conditioned as the bond of the county treasurer and payable to Talladega county.

The president and each of the other commissioners of the said board to give bond to the amount of \$1,000.00 or payable to the county, conditioned for the faithful performance of his duties. The said commission may acquire by purchase or agreement with the owners of right of way and material such as beds of stone, chert or ground for the construction and buildings of public roads and may acquire the same by condemnation proceedings as now provided by article 1, chapter 42, of the Code of 1896, amended by act of October 1st, 1903. The bonds to be issued shall be 500 in number and for \$500.00 each to be signed and sealed by the judge of probate and countersigned by the county treasurer, and shall bear interest from the date of issue, and issued from time to time as the money may be required, to the extent of \$25,000.00.

The said bonds to have interest coupons attached, payable at the places designated in the face of said bond. The court of county commissioners may employ an agent to negotiate the sale of said bonds, and shall have the right to apply surplus revenue of said county to the purchase of said bonds in the open market and retire the same, making full record thereof.

The said court of commissioners shall annually set apart from the general revenue of said county an amount sufficient to pay the annual and semi-annual interest accruing on said bonds and at the expiration of 20 years from the issuance of said bonds, shall set apart out of the revenue of said county an amount not less than one sixth part thereof for the payment of the

interest on said bonds; and any surplus thereof to the payment thereof, and the retirement of said bonds.

The said commission shall have a regular meeting once every three months, and called meetings when the exigencies require. The said commission shall keep a record of all its proceedings, taking vouchers for all sums paid out, and make report each quarter to, and ~~settlement every six months with the court of county commissioners.~~

The president shall receive \$4.00 per day, and the associates \$3.00 each per day, while in the actual discharge of their duties, as such board; and the president shall receive one-eighth of one per cent, of the monies received by him as custodian. The bonds issued by the county under this act shall be exempt from taxation by Talladega county or the municipalities thereof.

This act shall not be construed as amending or repealing the existing road laws of Talladega county.

The State of Alabama, }
Talladega County. }

Personally appeared before me, J. E. Camp, judge of probate in and for said county, E. L. C. Ward, who being duly sworn according to law deposes and says that he is the publisher of the Talladega Reporter, a newspaper published in said county, and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for four weeks consecutively, to-wit, in the issues thereof dated as follows: June 8, 1907, June 15, 1907, June 22, 1907 and June 29, 1907.

E. L. C. Ward.

Subscribed and sworn to before me this 6th day of July, 1907.

J. E. Camp,
Judge of Probate.

H. 1018. To authorize an election in the county of Talladega to determine whether or not bonds in the sum of two hundred and fifty thousand dollars shall be issued by said county for the purpose of building macadam, chert and gravel public roads therein.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE

Is hereby given that application will be made to the Legislature of Alabama at its adjourned sitting in July, 1907, for enactment into law of the following, viz.: A bill to be entitled an act to authorize an election in the county of Talladega, to determine whether or not bonds in the sum of two hundred and fifty thousand dollars shall be issued by said county for the purpose of building macadam, chert and gravel public roads therein.

Sec. (1) Be it enacted by the Legislature of Alabama, That in order to ascertain the will of a majority of the qualified electors of Talladega county as to whether or not bonds shall be issued by said county, in the sum of two hundred and fifty thousand dollars, for the said purpose of macadam, chert and gravel public roads in said county, it is hereby enacted, that upon the filing of a petition with the court of county commissioners of said county, not earlier than the November term, 1908, of said court, signed by not less than two hundred and fifty of the qualified electors of said county, praying for such election that the said court of county commissioners of said county shall thereupon by order entered upon the minutes of said court appoint a day not less than thirty days from the making of such order, for election to be held at the several polling places in said county, at which all the qualified electors of said county shall be entitled to vote, and shall give notice of the time and places for holding such election and the purpose thereof, by publication in some newspaper published in the county for three consecutive weeks.

Sec. (2) Be it further enacted that said election shall be conducted as near as may be provided by law for holding of general elections; the ballots to be voted to have printed thereon "for bonds" and "against bonds" in separate lines, the preference of the elector to be manifested by making a cross mark before the words "for bonds" or "against bonds" as he may determine.

Sec. (3) Be it further enacted, That the returns of said election shall be made to the sheriff of said county, and the same shall be canvassed by the judge of probate, circuit clerk and sheriff of said county, and the result certified to the court of county commissioners of said county, either at the next regular meeting, or at a meeting of said court called for that purpose, by the judge of probate.

Sec. (4) Be it further enacted, That if a majority of the votes cast at such election, shall be "against bonds" an entry to that effect shall be entered upon the minutes of said court. Should a majority of the votes cast at said election be "for bonds" then full entry of that fact, together with the petition for election, the orders of the court thereon, the returns of the election as tabulated by the board of canvassers, shall be entered of record on the minutes of the court, and such other proceedings had as may be provided by law for the issuance and sale of said bonds and the appropriation of the proceeds thereof, for the purpose set forth. Provided that this act shall be inoperative and of no effect unless a bill to be entitled "An act to authorize Talladega county, Alabama, to build and construct macadam, chert and gravel public roads and the necessary bridges, culverts and drainways therefor and to issue bonds of said county to aid in the construction thereof" shall be enacted into law.

Sec. (5) Be it further enacted, That the expenses of any election under this act shall be paid by the county of Talladega, upon the order of the court of county commissioners.

The State of Alabama, }
Talladega County. }

Personally appeared before me, J. E. Camp, judge of probate in and for said county, E. L. C. Ward, who being duly sworn according to law deposes and says that he is the publisher of the Talladega Reporter, a newspaper published in said county, and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for four weeks consec-

atively, to-wit, in the issues thereof dated as follows:
 June 8, 1907, June 15, 1907, June 22 1907, and June 29,
 1907. E. L. C. Ward.

Subscribed and sworn to before me this 6th day of
 July, 1907. J. E. Camp,
 Judge of Probate.

H. 885. To amend an act entitled "an act to prohibit the sale, giving away or disposing of spirituous, vinous or malt liquors or any intoxicating bitters or beverages within one mile of Old Mt. Zion Baptist Church, Barbour county," approved February 9th, 1897, and to provide a penalty for the violation of this act.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that a bill will be introduced at the approaching session of the Legislature of Alabama, to convene on July 9th, 1907, in the city of Montgomery, amending an act to prohibit the sale, giving away or disposing of spirituous, vinous or malt liquors or any intoxicating bitters or beverages within 1 mile of Old Mount Zion Baptist church, Barbour county, approved Feb. 9, 1897, so that said Old Mount Zion Baptist church may be properly described and located in beat 15 Barbour county, Alabama, instead of in beat 8, 15 Barbour county, Alabama, instead of in beat 8, Barbour county, Alabama, as is the case under the present law which is sought to be amended.

Dated this May 28th, 1907.

(Signed) J. S. Lathram,
 J. F. Weston,
 Travis Sims.

The State of Alabama, }
 Barbour County. }

Before me Simon Dowling a notary public in and for said State and county, personally appeared W. A. Bishop, who being duly sworn, doth depose and say that he

is the editor and the publisher of the Clayton Record, a weekly newspaper published in the town of Clayton, in said State and county, and that the accompanying notice has had continuous and successive publication in said paper for more than thirty days, beginning with the issue of May 31st, 1907.

Wm. A. Bishop,
Editor Clayton Record.

Sworn to and subscribed before me this 6th day of July, 1907.

S. H. Dowling, Notary Public.

H. 235. To regulate hunting upon, or shooting in or across the enclosed field, pasture, or other enclosure owned by or in possession of another in Walker county, Alabama.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that at the next session of the Legislature of Alabama, application will be made for the passage of an act providing substantially as follows:

AN ACT

To regulate hunting upon, or shooting in or across the enclosed field, pasture or other enclosure, owned by or in possession of another in Walker county, State of Alabama.

Section 1. Be it enacted by the Legislature of Alabama, That from and after the passage of this act it be unlawful for any person to hunt upon, or shoot in or across any enclosed field, pasture or other enclosure owned by or in the possession of another in Walker county, Alabama, without first getting the consent and permission of such owner or person in possession of such enclosed field, pasture or other enclosure.

Section 2. That any person violating the provisions of this act shall be guilty of a misdemeanor, and on conviction shall be fined not less than five nor more than one hundred dollars, at the discretion of the court trying the cause.

Section 3. That no prosecution for a violation of the provisions of this act shall be begun except by or at the instance of the owner, or person having possession or control of the lands trespassed upon.

Ernest Lacy.

The State of Alabama, }
Walker County. }

Personally appeared before me, R. T. Knight, a justice of the peace in and for Walker county, Alabama, J. R. Gunter, who, being by me first duly sworn according to law, upon his oath, says that he is the editor of the Mountain Eagle, a newspaper published at Jasper, in Walker county, Alabama; that the foregoing notice of an intention to apply for the passage of an act to regulate hunting upon, or shooting in or across the enclosed fields, pastures or other enclosures, owned by or in possession of another in Walker county, was published in the Mountain Eagle, a weekly newspaper published in Walker county, Alabama, once a week for four consecutive weeks next preceding the date of the making of this affidavit.

J. R. Gunter.

Sworn to and subscribed before me, on this the 14th day of January, 1907.

R. T. Knight,
Justice of the Peace.

H. 1053. To alter and rearrange the boundaries of the town of Pollard, extending the corporate limits of said town.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Escambia County. }

Before me, John D. Leigh, a notary public, in and for the State and county aforesaid, this day personally ap-

peared Herbert C. Rankin, who being by me first duly and legally sworn, deposes and says that he is the editor and publisher of the Brewton Standard, a weekly newspaper published in the town of Brewton, county of Escambia and State of Alabama, and that the notice hereto attached, and marked "Exhibit A" was published in said Brewton Standard once a week for four successive weeks, and that said notice appeared in said paper on the following dates, June 13th, June 20th, June 27th, and July 4th, 1907.

Herbert C. Rankin,
Editor and Publisher of The Brewton Standard.

Sworn to and subscribed before me, this the 8th day of July, 1907.

John D. Leigh,
Notary Public.

NOTICE.

(Exhibit A.)

Notice is hereby given that on the reconvening of the Legislature of Alabama application will be made to the Legislature to pass an act to alter and rearrange the boundaries of the town of Pollard, which act will be in substance as follows:

A bill to be entitled an act to alter and rearrange the boundaries of the town of Pollard; extending the corporate limits of said town. Be it enacted by the Legislature of Alabama:

Section 1. That the boundaries of the town of Pollard, in the county of Escambia and State of Alabama, be and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said town all that territory lying within the county of Escambia, and State of Alabama, included within the following boundaries, to-wit: Beginning at the center of the Louisville and Nashville Railroad track at the southern end of the railroad trestle spanning Jernigan's Mill creek and run due west four hundred (400) yards; thence south to a point that is one-half mile south of the southern bank of Bay branch; thence due east one thousand and 1,000 yards; thence due north to a point that is six

hundred 600 yards due east of the point of beginning and thence due west six hundred 600 yards to the point of beginning.

Section 2. That the boundaries set out in section one of this act be and the same are hereby established as the corporate limits of the said town of Pollard.

H. 1162. To amend an act entitled an act to provide for holding separate terms of the circuit court for Coffee county in the Twelfth judicial circuit at Enterprise for the following portions of Coffee county, to-wit: Township 3, range 22; township 4, range 22; township 5, range 22; township 3, range 21; township 4, range 21; the east one half of township three, range 20; the following sections in township four, range 20, to-wit: 13, 22, 23, 24, 25, 26, 27, 34, 35, 36; and all that portion of the territory in township 6, range 22; township 7, range 22; township 5, range 21; township 6, range 21, lying south of Pea river, and to regulate the holding of such court; to provide buildings and accommodations therefor, making its jurisdiction within such district exclusive of the jurisdiction it exercises when sitting at Elba, in said county of Coffee, defining the powers of the judge and the clerk thereof, and regulating the drawing of its grand and petit jurors, and providing for the transfer of causes from the circuit court at Elba to said court held at Enterprise, and from the latter to the former, approved February 28, 1907.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Coffee County. }

Before me, a notary public in and for State and county, personally appeared G. H. Aman, who, being by me first duly sworn, doth say on his oath, that the notice hereto attached marked "Exhibit A" relating to an amendment of an act approved February 29, 1907, relating to the establishment of the circuit court at Enterprise, was published, without cost to the State, for four consecutive weeks next before the mak-

ing of this affidavit, in the People's Ledger, a newspaper published at Enterprise, Coffee county, Alabama, and that said newspaper has been published and issued regularly in weekly editions for the last twelve months.

G. H. Aman.

Sworn to and subscribed before me this 6th day of July, 1907.

Notary Public.

NOTICE.

Is hereby given that at the session of the Legislature that convenes on the 9th day of July, 1907, the following bill will be introduced and efforts made to secure its passage:

A BILL

To amend an act entitled an act to provide for holding separate terms of the circuit court for Coffee county in the Twelfth judicial circuit, at Enterprise, for the following portions of Coffee county, to-wit: Township 3, range 22; township 4, range 22; township 5, range 22; township 3, range 21; township 4, range 21, the last one-half of township 3, range 20, the following sections in township 4, range 20, to-wit: 13, 22, 23, 24, 25, 26, 27, 34, 35, 36; and all that portion of the territory in township 6, range 22; township 7, range 22; township 5, range 21; township 6, range 21, lying south of Pea river, and to regulate the holding of such court; to provide buildings and accommodations therefor, making its jurisdiction within such district exclusive of the jurisdiction it exercises when sitting at Elba in said county of Coffee; defining the powers of the judge and clerk thereof, and regulating the drawing of its grand and petit jurors and providing for the transfer of causes from the circuit court held at Elba to said court held at Enterprise, and from the latter to the former, approved Feb. 28, 1907.

Section 1. Be it enacted by the Legislature of the State of Alabama, That section 11 of an act entitled "an act, &c.," approved Feby. 28th, 1907, be and the same is amended so as to read as follows:

Sec. 11. Be it further enacted, That there shall be organized two regular grand juries in each year for the circuit court of Coffee county, one of which said grand juries shall be empaneled for the fall term of the circuit court at Elba, Alabama, and the other at the spring term of the circuit court at Enterprise, Alabama, and the persons composing said grand juries shall be selected from the county at large, and said grand juries when organized and empaneled shall do and perform all and singular the same duties as is now or may hereafter be required of grand juries in the circuit courts of the State and their jurisdiction shall be co-extensive throughout the entire county, and all indictments returned by either of said grand juries against parties for offenses committed in the Enterprise division shall be made returnable to the court or courts now having jurisdiction of such offenses, or that may hereafter be conferred with jurisdiction thereof, and all indictments returned for offenses committed in the Elba division shall be made returnable to the court or courts now having jurisdiction of such offenses, or that may hereafter be conferred with such jurisdiction.

That at the regular time for drawing grand and petit jurors for the circuit court of Coffee county, the jury commissioners of said county shall select from the qualified citizens of said county not less than 20 persons to serve as grand jurors at Elba, Alabama, at the fall term of the circuit court for each year, and the same number to serve as grand jurors at the spring term of the circuit court at Enterprise for each year, and the lists of names of the persons so drawn shall be made up and disposed of in the same manner as is now provided by law. That grand juries for any special or adjourned term of the circuit court of Coffee county held either at Elba or Enterprise shall be selected and drawn as hereinabove provided for regular terms of said courts and as further provided by Sec. 5002 of the Code of 1896. That the

court may by order spread on the minutes of the court, at any term of the court at either place, order a grand jury summoned and impaneled as provided by Sec. 4998 of the Code of 1896. A special grand jury at any regular term of the court may be summoned, impaneled as provided by Sec. 5000 of the Code of 1896, and this may be done whether a grand jury had been previously impaneled and discharged for the term.

H. 1272. To provide for the transfer of civil causes pending in the circuit court of Morgan county, Alabama, to the Morgan county law and equity court, and to provide for the trial of said causes so transferred.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that at the July session of the Legislature of Alabama, there will be introduced a bill, which in substance is as follows: That all civil causes pending in the circuit court of Morgan county, Alabama, at the time this act is approved, may be transferred to the Morgan county law and equity court upon written request to the clerk of the circuit court by either the complainant or defendant, or their agents or attorneys, at any time within ninety days after this act is approved. That when the cause so transferred is entered upon the docket of the Morgan county law and equity court the said Morgan county law and equity court shall have the exclusive jurisdiction of the said cause.

W. H. Long, Jr.

A. J. Harris,

S. A. Lynne.

PROOF.

The State of Alabama, }
Morgan County. }

Before me, Frank J. Davis, notary public in and for said State and county, this day personally appeared Harold E. Hildreth, who, being by me duly sworn, de-

poses and says that he is the publisher of the New Decatur Advertiser, a newspaper published in New Decatur, Morgan county, Alabama; that notice of the intention to apply to the present session of the Legislature of Alabama for the passage of an act to provide for the transfer of civil causes pending in the circuit court of Morgan county, Alabama, to the Morgan county law and equity court, and to provide for the trial of said causes so transferred, has been published without cost to the State of Alabama in said newspaper once a week for four consecutive weeks, beginning with the 20th day of June, 1907, issue of said paper, and appearing in the issues of June 20th, June 27th, July 4th and July 11th, 1907, respectively, and concluding with the July 11th issue of said paper; that the notice herein referred to stated the substance of said proposed act as is shown by a copy of said notice as published and appearing in each of the issues of said paper as hereinabove stated, and which said copy is hereto attached and marked exhibit A and made a part of this affidavit.

Harold E. Hildreth.

Sworn to and subscribed before me this July 11th, 1907.

Frank J. Davis,
Notary Public.

H. 1274. To authorize and empower the county treasurer of Morgan county, Alabama, to pay all jurors, grand and petit, and all bailiffs, janitors and other proper officers of the Morgan county law and equity court of Morgan county, Ala., except the salary of the judge of said court, and to pay for the supplies, records, furniture, stationery and fixtures for said court, and to provide for his compensation therefor.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows.

NOTICE.

Notice is hereby given that a bill will be introduced in the July session of the Legislature of Alabama, pro-

viding, in substance, that the county treasurer of Morgan county, Alabama, be authorized and empowered, and it shall be his duty, to pay all jurors, grand and petit, and all bailiffs, janitors and other proper officers of the Morgan county law and equity court of Morgan county, Alabama, except the salary of the judge of said court, and for the supplies, records, furniture, stationery and fixtures for said court, when such claims are made and presented to him as required by law; that he shall receive for such services the compensation now allowed him for similar services, provided his salary shall not exceed \$1,000.00 in any one year, but shall be and remain at \$1,000.00 per year.

W. H. Long, Jr.
A. J. Harris,
S. A. Lynne.

PROOF.

The State of Alabama, }
Morgan County. }

Before me, Frank J. Davis, a notary public in and for said county and State, this day personally appeared Harold E. Hildreth, who, being by me duly sworn, deposes and says that he is the publisher of the New Decatur Advertiser, a newspaper published in New Decatur, Morgan county, Alabama; that notice of the intention to apply to the present session of the Legislature of Alabama for the passage of an act to authorize and empower the county treasurer of Morgan county, Alabama, to pay all jurors, grand and petit, and all bailiffs, janitors and other proper officers of the Morgan county law and equity court of Morgan county, Ala., except the salary of the judge of said court, and to pay for the supplies, records, furniture, stationery and fixtures for said court, and to provide for his compensation therefor, has been published without cost to the State of Alabama, in said newspaper once a week for four consecutive weeks, beginning with the 20th day of June, 1907, issue of said paper and appearing in the issues of June 20th, June 27th, July 4th and July 11th issue of said paper; that the notice herein referred to stated the sub-

stance of said proposed act as is here shown by a copy of said notice as published and appearing in each of the issues of said paper as hereinabove stated, and which said copy is hereto attached and marked exhibit A and made a part of this affidavit.

Harold E. Hildreth.

Sworn to and subscribed before me this July 11th, 1907.

Frank J. Davis,
Notary Public.

H. 1139. To repeal an act entitled "An act, to better provide for the working and maintenance of the public roads of Chambers, Lamar, Lawrence, Lowndes, Clay and Cleburne counties, approved February 12th, 1899, so far as the same relates to Lamar county.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE OF PROPOSED LEGISLATION.

Notice is hereby given that at the adjourned session of the Legislature of the State of Alabama, which will meet in the month of July, 1907, a bill will be introduced and application made for its passage by said Legislature, providing substantially as follows:

A bill to be entitled an act to repeal an act entitled, "An act to better provide for the working and maintenance of the public roads in Chambers, Lamar, Lawrence, Lowndes, Clay and Cleburne counties," approved February 18th, 1899, so far as the same relates to Lamar county.

Be it enacted by the Legislature of Alabama:

Sec. 1. That an act entitled "An act to better provide for the working and maintenance of the public road in Chambers, Lawrence, Lamar, Lowndes, Clay and Cleburne counties," approved February 18th, be, and the same is hereby repealed, so far as it relates to Lamar county, Alabama.

The State of Alabama, }
 Lamar County. }

Before me, R. L. Bradley, judge of probate in and for said county, personally appeared C. S. McDougal, who, being first duly sworn, deposes and says that he is editor and publisher of the Lamar Democrat, a newspaper published in said county; that the foregoing notice of the intention to apply at the adjourned session of the Legislature of Alabama convened during the month of July, 1907, for the passage of a bill to be entitled "An act to repeal an act entitled 'An act to better provide for the working and maintenance of the public roads in Chambers, Lamar, Lawrence, Lowndes, Clay and Cleburne counties,' approved February 18th, 1899, so far as the same relates to Lamar county," has been published in said newspaper for four consecutive weeks, to-wit: in the issues of June 19, June 26, July 5, and July 10, 1907.

C. S. McDougal.

Subscribed and sworn to before me, this the 10th day of July, 1907.

R. L. Bradley,
 Judge of Probate.

H. 929. To alter or re-arrange the boundary lines of the city of Birmingham, Alabama.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that at the session of the Alabama Legislature, which convenes on July 9, 1907, there will be introduced a bill for passage which will provide for altering or rearranging the boundary lines of the city of Birmingham, in Jefferson county, Alabama, in substance as follows:

To alter or rearrange the boundary lines of the city of Birmingham, in Jefferson county, Alabama, by beginning at the southwest corner of section 6, township 18, south, range 2 west, which is a point on the present boundary line of the city of Birmingham; thence northeast-

ward along the said boundary line of the said city of Birmingham to the northeast boundary of the right of way of the Birmingham Mineral railroad; thence eastwardly along the northern boundary of the said right of way of the Birmingham Mineral railroad to the western boundary of section 34, township 17, range 2 west, thence north to the northwest corner of said section 34; thence northeastward in a straight line through a point on the east and west center line of section 12, township 17 south, range 2 west, 1980 feet west of the center of said section 12 to an intersection with the northeastern boundary line of the town of East Lake, if extended southeastward; thence northwestward along the northeastern boundary line of the town of East Lake, extended, and the northeastern boundary line of said town of East Lake to the northwest corner of the boundary line of the said town of East Lake; thence in a straight line to a point where the north and south center line of section 17, township 17 south, range 2 west crosses the north boundary line of the right of way of the Birmingham Mineral railroad company; thence westward along the north boundary of said right of way of the said Birmingham Mineral railroad company to the western boundary of the northeast quarter of the southwest quarter of section 18, township 17 south, range 2 west; thence north to the northwest corner of the northeast quarter of the southwest quarter of said section 18, township 17 south, range 2 west; thence west to the southwest corner of the southeast quarter of the northwest quarter of section 13, township 17 south, range 3 west; thence north to the northwest corner of the southeast quarter of the northwest quarter of said section 13, township 17 south, range 3 west; thence west to the southeast corner of the northeast quarter of the northeast quarter of section 15, township 17 south, range 3 west; thence south along the east line of said section 15, township 17 south, range 3 west, to the boundary line of the town of North Birmingham; thence southward and westward along the western boundary line of said North Birmingham, broken, to the center of Village creek; thence westward along the cen-

ter of Village creek to a point where the eastern boundary line of Pratt City, if extended, would intersect the same; thence north along the eastern boundary line of said Pratt City to the northern boundary of the right of way of the Birmingham Mineral railroad company; thence eastward along said north boundary line of the ~~Birmingham Mineral railroad company to the north and south center line of the northeast quarter of section 29, township 17 south, range 3 west; thence north to the southwest corner of the southeast quarter of the northeast quarter of section 20, township 17 south, range 3 west; thence west to the center of the eastern boundary line of section 24, township 17 south, range 4 west; thence southward along the eastern boundary line of said section 24 to the north line of the right of way of the Kansas City, Memphis and Birmingham railroad; thence southeastward along the north and east line of said right of way to the western boundary line of Pratt City; thence southward along the western boundary line of said Pratt City to the south line of Avenue E; thence westward along the south line of said Avenue E to the eastern boundary line of Ensley; thence southward along the eastern boundary line of said Ensley and westward along the southern boundary line of said Ensley to where the same intersects the western boundary line of the southeast quarter of the southwest quarter of section 6, township 18 south, range 3 west; thence to the southwest corner of the southeast quarter of the southwest quarter of said section 6, township 18 south, range 3 west, thence west to the northwest corner of the northeast quarter of section 12, township 18, south, range 4 west; thence south to the center of the south line of said section 12, township 18 south, range 4 west, thence east along the south boundary line of section 12, township 18 south, range 4 west, and the south boundary line of sections 7, 8, 9, 10 and 11, township 18 south, range 3 west, to an intersection with the north boundary of the right of way of the Birmingham Mineral railroad company; thence eastward along the north line of the said right of way to an intersection with the south boundary line of section 1, township 18 south,~~

range 3 west; thence east along the south line of said section 1, township 18 south, range 3 west, to the point of beginning. And to provide that this act shall not go into effect until October 1, 1909.

The State of Alabama, }
Jefferson County. }

Personally appeared before me, the undersigned authority, a notary public in and for said county in said State, W. H. Jeffries who, being by me duly and legally sworn on oath says that he is advertising manager of the Age-Herald Publishing Company, the publisher of the Birmingham Age-Herald, a newspaper published in the city of Birmingham, which is a daily newspaper, that the notice, a copy of which is hereto attached, was inserted in said Birmingham Age-Herald and published consecutively once a week for four weeks.

W. H. Jeffries.

Sworn to and subscribed before me this 8th day of July, 1907.

Chas. L. Leper,
Notary Public.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bills:

H. 923. To provide that all confederate soldiers, sailors and their widows, who are drawing a pension and who are over the age of ninety years, shall be entitled to and receive a pension of the first class.

And the same to the Senate.

H. 965. To fix the times and places of holding the chancery court in the eighth district of the Northern division, composed of the county of Madison.

And sends the same to the Senate.

H. 820. To allow the boards of revenue, or courts of county commissioners, of the various countties of Alabama, to purchase and direct the keeping of blood-hounds for their counties.

And sends the same to the Senate.

H. 879. To dissolve the quarantine board of Mobile bay and provide for the disposition of its assets.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Mobile County. }

Before me, Palmer Pillans, a notary public in and for said State and county, this day personally appeared Thomas B. Allman, who being by me first duly sworn, on oath says: That he is the cashier of the Herald Publishing Company, publisher of the Mobile Daily Herald, a newspaper published in the city and county of Mobile and State of Alabama, and that he has personal knowledge of the facts in this affidavit contained; that there was inserted and published in the said newspaper, the Mobile Daily Herald, the notice, copy of which is appended to this affidavit as a part hereof, on the following days, that is to say: upon December 28th, 1906, and in the issue of the said newspaper for that date, and on January 4th, January 11th and January 18th, 1907; that is to say that the said notice was published once a week for four consecutive weeks commencing with the issue of December 28th, 1906. Thomas B. Allman.

Subscribed and sworn to before me this 22nd day of February, A. D., 1907.

Palmer Pillans,
Notary Public Mobile County, Alabama.

NOTICE.

Notice is hereby given that application will be made to the Legislature of Alabama at the next regular session thereof, commencing in January, 1907, for the passage of an act to dissolve and wind up the quarantine board of Mobile bay and to provide for the conversion of its property into money, and distribution of the money remaining in its hands by a return to the city and county of Mobile respectively, of sums equal to the sums which were heretofore advanced by said city and county respectively, and by the payment to the State treasurer of the balance then remaining in hand.

H. 1004. To repeal an act entitled "an act to establish and define the boundary lines of Spring Hill school district; Pike county.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that application will be made at the next session of the Legislature to repeal an act entitled an act to establish and define the boundary line of the Spring Hill School district of Pike county, Ala., approved Feb. 13, 1885.

The State of Alabama, }
Pike County. }

Before me, Ralph J. Barr, N. P., in and for said State and county, personally appeared Sidney Herbert Blan, who being duly sworn deposes and says that he is the editor and publisher of the Troy Messenger, a newspaper published in Pike county, Alabama, and that the publication of a certain notice of which the foregoing printed notice is a true and correct copy, has been made in said paper for four consecutive weeks, to-wit; beginning on the 10th day of June, 1907, and continuing for four consecutive weeks from said date.

Sidney Herbert Blan.

Sworn to and subscribed before me this the 7th day of July, 1907.

Ralph J. Barr, Notary Public.

H. 989. To fix the time and place where the tax collector of Morgan county, Alabama, shall keep his office and prescribing the number of rounds to be made by him in the county each year, for the purpose of collecting taxes, and allowing him to fix the number of days to remain in the several precincts for the purpose of collecting taxes during the months of October and November in each year, and requiring him to be at the court house of the county during the month of December

in each year for the purpose of collecting the taxes of the county.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

There will be a bill introduced at the adjourned session of the legislature to convene in July 1907, authorizing and requiring the tax collector of Morgan county to keep an office at the court house from the 1st of October until the 1st of May of each and every year; and also authorizing the tax collector to make only one round of the county for the purpose of collecting taxes, and allow him to remain at the several precincts of the county as long as it may be necessary to collect the taxes thereof during the months of October and November in each year, and requiring him to be at the court house of the county during the month of December in each year for the purpose of collecting the taxes of the county.

The State of Alabama, }
Morgan County. }

Before me, Dan Walden, a notary public in and for the county and State aforesaid, this day personally appeared J. C. Orr, who being first duly sworn, deposes and says that he is the editor and proprietor of a newspaper published in the said State and county, known and designated at the Morgan County Times; that the notice hereto attached was published in said newspaper once a week for four consecutive weeks, beginning with the issue of date June 7th, 14th, 21st, and 28th, 1907, and that said notice was published without cost to the State of Alabama.

J. C. Orr.

Sworn to and subscribed before me, this 6th day of July, 1907.

Dan Walden,
Notary Public and Ex. Off. J. P.

H. 993. To amend an act entitled an act, to fix and regulate the ex-officio fees of the clerk of the circuit court of Limestone and Morgan counties.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

There will be a bill entitled an act, to amend an act entitled an act, to fix and regulate the ex-officio fees of the clerk of the circuit court of Limestone and Morgan counties, Alabama. That said bill will fix the ex-officio fees of the circuit court clerk of Morgan county at the sum of six hundred and fifty dollars.

Was duly published in said newspaper on April 11, 1907, April 18, 1907, April 25, 1907, May 2, 1907, being once a week for four consecutive weeks as required by law.

H. E. Hildreth.

Sworn to and subscribed to before me this the 1st day of July, 1907.

A. S. Blackwell, N. P.

The State of Alabama, }
Morgan County. }

Before me, A. S. Blackwell N. P., in and for said State and county, personally appeared H. E. Hildreth, publisher of the New Decatur Advertiser, who on oath, deposes and says, that the New Decatur Advertiser, is a newspaper published in the city of New Decatur, Alabama, that the foregoing notice was duly published once a week for four consecutive weeks as required by law.

H. E. Hildreth.

H. 891. To provide for the election of the county commissioners of Bibb county, Alabama, and to prescribe their terms of office.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

LEGAL NOTICE.

Notice is hereby given that at the present session of the Legislature of Alabama, a bill will be introduced and an application will be made for the passage of same; providing for the election of the county commissioners of ~~Bibb county, Alabama~~ by the qualified voters of the respective districts of said county on Tuesday after the first Monday in November 1908, as above prescribed; two of whom shall hold their regular term of four years and two of whom shall serve only two years and until their successors are qualified, and providing that the successors of the two said commissioners who shall hold only two years shall be elected on the date for the election of county officers of said county in the year 1910 and the term of said commissioners and their successors shall be four years, and providing for the election of two of said commissioners every two years after the election of said commissioners in 1910.

Under the provisions of the bill each district in Bibb county will elect its commissioner, and only two of said commissioners will be elective in the same year.

Jerome T. Fuller,
Representative for Bibb County.

Herbert E. Reynolds,
Senator 18th Senatorial District.

The State of Alabama, }
Bibb County. }

Before me, W. L. Pratt Judge of probate in and for said county and State personally appeared L. H. Nunnelee who being duly sworn, on his oath states that he is now and has been for more than twelve months prior to this date editor and publisher of The Centerville Press a weekly newspaper published weekly at Centerville in ~~Bibb county Alabama~~: That the above notice, refering to the election of the county commissioners of Bibb county Alabama, and prescribing their term of office was published in the said newspaper The Centerville Press for four consecutive weeks, viz: in the issue of the

said paper on the 7th, 14th, 21st, and 28th, of February and on the 7th day of March 1907.

L. H. Nunnelee,
Editor and Publisher of the Centerville Press.

Sworn to and subscribed before me this the 5th day of July, 1907.

W. L. Pratt,
Judge of Probate, Bibb Co. Ala.

H. 1043. To repeal sections two and three of "an act entitled an act to repeal an act to increase the number of grand and petit jurors in Winston county, and to provide and designate the number of petit jurors drawn in said county," approved Dec. 10, 1886.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that at the session of the Legislature beginning Jan'y 7, 1907, a bill will be introduced the substance of which is hereby given.

An act to repeal an act entitled "An act to increase the number of grand and petit jurors of Winston county," approved February 7, 1885. Be it enacted by the Legislature of Alabama, That an act approved February 7, 1885, which said act is in words as follows:

Sec. 1. Be it enacted by the General Assembly of Alabama, That from and after the passage of this act that it shall be the duty of the officers whose duty it is by law to draw and summons jurors in and for the county of Winston to draw and summon on venire 15 grand and 24 petit jurors to serve at each term of the circuit court in said county according to rules prescribed by the general statutes of the State of Alabama.

Section 2. Be it further enacted, That if any of such persons so summoned shall fail to attend, that it shall be the duty of the court to complete said juries as provided by the general statutes of the State.

Section 3. Be it further enacted, That all laws and parts of laws in conflict with this act be and the same is hereby repealed, approved February 7, 1885, be and the same is hereby repealed, in so far as it relates to the number of grand jurors in said county.

J. J. Curtis.

~~The State of Alabama, }~~
~~Winston County. }~~

Before me, Rufus I. Dodd, clerk of the circuit court in and for said county, personally appeared Geo. W. Adkins, who is known to me to be the editor and publisher of the New Era, a weekly newspaper published in said county, who being by me duly sworn, deposes and says that the attached notice of "A bill to be entitled an act to repeal an act 'entitled an act to increase the number of grand and petit jurors in Winston county,'" approved February 7th, 1885, has been published in said newspaper for four consecutive weeks next prior to Feb. 11th, 1907.

This July 8th, 1907.

Geo. W. Adkins,
 Editor and Publisher New Era.

Sworn to and subscribed before me this the 8th day of July, 1907.

Rufus I. Dodd,
 Clerk Circuit Court.

H. 1042. To repeal an act entitled "An act to increase the number of grand and petit jurors in Winston county," approved February 7th, 1885.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that at the session of the Legislature of Alabama commencing January 7th, 1907, a bill will be introduced for passage, the substance of which follows:

An act to repeal section two and three of an act "entitled an act to repeal an act to increase the number of grand and petit jurors in Winston county, and to pro-

vide and designate the number of petit jurors drawn in said county," approved Dec. 10, 1886.

Be it enacted by the Legislature of Alabama, That sections two and three of an act of the General Assembly approved Dec. 10, 1886, which said sections are in words as follows: "Section 2. Be it enacted by the General Assembly of Alabama, That it shall be the duty of the officers whose duty it is by law to draw and summons jurors in and for said county of Winston, to draw and summons at the time and in the manner prescribed by law to serve as petit jurors at each term of the circuit court held in said county, according to the rules prescribed by the general statutes in this State. Section 3. Be it further enacted by the General Asesmbly of Alabama, That if any of such persons so summoned shall fail to attend, that it shall be the duty of the court to complete the said jury as provided by law, be and the same is hereby repealed."

J. Curtis.

The State of Alabama, }
Winston County. }

Before me, Rufus I. Dodd, clerk of the circuit court in and for said county, personally appeared Geo. W. Adkins, who is known to me to be the editor and publisher of the New Era, a weekly newspaper published in said county, who being by me duly sworn, deposes and says that the attached notice of "A bill to be entitled an act to repeal section two and three of an act" entitled an act to repeal an act to increase the number of petit jurors in Winston county, and to provide and designate the number of petit jurors drawn in said county," approved Dec. 10, 1886, has been published in said newspaper for four consecutive weeks next prior to Feby. 11th, 1907.

This July 8, 1907.

Geo. W. Adkins,
Editor and Publisher New Era.

Subscribed and sworn to before me, this the 8th day of July, 1907.

Rufus I. Dodd,
Clerk Circuit Court.

H. 1010. To ratify and confirm the acts and contracts of the court of county commissioners of Russell county, or other authorized agents of said county, in borrowing money for the use and benefit of said county and to ratify and confirm the warrants given on said contracts for money so borrowed.

And sends the same to the Senate, with notice and ~~proof attached and herewith exhibited as follows:~~

NOTICE.

To whom it may concern:

Notice is hereby given that at the present session of the Legislature of Alabama, a bill will be introduced, the substance of which will be to authorize the county of Russell to borrow money, not exceeding the current revenue of said county per annum, in the discretion of the court of county commissioners of said county.

Also, at the next session of the Legislature of Alabama, will be introduced a bill to ratify and confirm the prior acts of the court of county commissioners or other authorized agents of the county, in borrowing money and to confirm and ratify the warrants given for money so borrowed.

H. T. Benton,
Probate Judge.

The State of Alabama, }
Russell County. }

Before me, R. H. Holland, register in chancery, in and for said county, personally appeared W. H. Chadwick, who, being duly and legally sworn, deposes and says that he is one of the editors and proprietors of the Russell Register, a newspaper published in Russell county, Alabama, and which is published weekly, that the notice, a copy of which is hereto attached, was inserted in and published in said Russell Register, once a week for four consecutive weeks, since the 15th day of February, 1906, and prior to this date.

W. H. Chadwick.

Sworn to and subscribed to before me this the 6th day of July, 1907.

R. H. Holland,
Register in Chancery.

H. 1064. To vacate and annul the dedication of the following highways and parts of highways, situated in Smithfield, Jefferson county, Alabama, according to the plans and survey of Smithfield by Dr. Jos. R. Smith, Sr., to-wit: All that part of Thomas street lying between Valley Creek canal and Sally avenue. All of Joseph street lying between Valley Creek canal and Irene avenue. All that part of Mortimer street lying between Valley Creek canal and Agnes avenue. All of Agnes avenue lying between Valley Creek canal and Mortimer street.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Jefferson County. }

Before the undersigned, Lutie Chisholm, a notary public in and for the county and State aforesaid, personally appeared Thomas B. Smith, who is known to me, and who being duly sworn deposes and says on oath that he is business manager of the "Birmingham Ledger" and has been such business manager continuously since prior to the 15th day of June 1907; that the Birmingham Ledger is a newspaper of general circulation, which has been published daily, except Sundays, in Birmingham, Jefferson county, Alabama, since prior to the 15th day of June 1907; and that the notice hereinbelow attached was published without cost to the State of Alabama, in regular issues of said newspaper which were published on the 15th, 22nd and 29th days of June, and on the 6th day of July, 1907, the said notice being in words and figures as follows, to-wit:

NOTICE.

Notice is hereby given that application will be made to the legislature of Alabama to pass a local law to vacate and annul the dedication of the following highways and parts of highways, situated in Smithfield, Jefferson

county, Alabama, according to the plan and survey of Smithfield by Dr. Joseph R. Smith, Sr., to-wit:

All that part of Thomas street lying between Valley Creek canal and Sally avenue.

All of Joseph street lying between Valley Creek Canal and Irene avenue.

~~All of Mortimer street lying between Valley Creek canal and Agnes avenue.~~

All of Agnes avenue lying between Valley Creek canal and Mortimer street.

Lee C. Bradley,
Thomas B. Smith.

Sworn to and subscribed before me this the 8th day of July, A. D., 1907.

Lutie Chisholm,
Notary Public.

H. 1016. To repeal an act entitled "An act to establish, maintain and regulate a dispensary in the town of Ragland, in St. Clair county, Alabama, for the sale of spirituous and vinous liquors, malt liquors, wines, ciders and other intoxicating liquors, and to create a board of directors for the purpose of better controlling and managing the sale of spirituous, and vinous liquors, malt liquors, wines, ciders, and other intoxicating liquors and for other purposes."

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that the undersigned bill affecting the people of St. Clair county, Alabama, will be introduced at the July session of the Legislature of Alabama:

AN ACT

To repeal an act entitled "An act to establish, maintain and regulate a dispensary in the town of Ragland, in St. Clair county, Alabama, for the sale of spirituous, and vinous liquors, malt liquors, wines, ciders and other intoxicating liquors and to create a board

of directors for the purpose of better controlling and managing the sale of spirituous and vinous liquors, malt liquors, wines, ciders, and other intoxicating liquors and for other purposes."

Section 1. Be it enacted by the Legislature of Alabama, That an act approved September 18, 1903, to establish, maintain and regulate a dispensary in the town of Ragland, in St. Clair county, Alabama, for the sale of spirituous and vinous liquors, malt liquors, wines, ciders and other intoxicating liquors, and to create a board of directors for the purpose of better controlling and managing the sale of spirituous and vinous liquors, malt liquors, wine liquors and for other purposes, be and the same is hereby repealed. J. W. Moore.

The State of Alabama, }
Saint Clair County. }

Personally appeared before me, Victor H. Smith, a notary public in and for said State and county, W. A. Starns, who being by me first duly sworn, deposes and says; that he is the publisher of the Pell City Times, a newspaper published in Pell City, St. Clair county, Alabama; and that the foregoing and attached bill was published in said newspaper once per week for four consecutive weeks before the making of this affidavit.

W. A. Starns.

Subscribed and sworn to before me, this the 8th day of July, 1907.

Victor H. Smith,
Notary Public.

H. 1106. To make it unlawful for any person to sell, give away, or otherwise dispose of spirituous, vinous or malt liquors within three miles of the school house known as the Powell school house in beat six (6) of Crenshaw county, Alabama, and to punish violations of the same.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

Notice is here given that the following bill will be presented for enactment into law by the Legislature, beginning Jan. 8, 1907:

A BILL

~~To be entitled an act to make it unlawful for any person to sell, give away, or otherwise dispose of spirituous, vinous or malt liquors within three miles of the school house known as the Powell school house, in beat six of Crenshaw county, Alabama, and to punish violations of the same.~~

The State of Alabama, }
Crenshaw County. }

Personally appeared before me, M. N. Rushton, a notary public in and for said county, W. B. Howard, who, being duly sworn, says on oath that he is the editor and publisher of the Crenshaw County Critic, a newspaper published in said county, and that the notice of a bill to make it unlawful for any person to sell, give away or otherwise dispose of spirituous, vinous or malt liquors within three miles of the school house known as the Powell school house, in beat six of Crenshaw county, Alabama, a copy of which notice is hereto attached, was published in said Crenshaw County Critic once a week for four consecutive weeks before this date. This 6th day of July, 1907.

W. B. Howard.

Subscribed and sworn to before me this 6th day of July, 1907.

M. N. Rushton,
Notary Public.

H. 924. To divide the county of Hale into four commissioners' districts and to provide for the election of a commissioner for each district.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

To whom it may concern:

Notice is hereby given that a bill will be introduced at the present session of the Legislature of Alabama in substance as follows:

A BILL

To be entitled an act, to divide the county of Hale into four commissioners' districts and to provide for the election of a commissioner for each district.

Section 1. Be it enacted by the Legislature of Alabama, That the county of Hale be, and the same is hereby divided into four commissioners' districts to be numbered first, second, third and fourth districts.

That the first district shall be composed of that part of said Hale county embraced within the precincts as now existing and numbered as follows: Precincts number 1, 2, 12 and 16.

That the second district shall be composed of that part of said county within the precincts as now existing and numbered as follows: Precincts number 6, 7, 8 and 9.

That the third district shall be composed of that part of said county of Hale embraced within the precincts as now existing and numbered as follows: Precincts number 4, 5, and 15.

That the fourth district shall be composed of that part of said county of Hale within the precincts now existing and numbered as follows: Precincts number 3, 10, 11 and 18.

Section 2. That at the general election in November, 1908, and every four years thereafter, a commissioner shall be elected for each of said districts, by the qualified electors of the district, whose term of office shall commence at the expiration of the term of office of the commissioner now in office, and shall hold office for four years, and until their successors are elected and qualified. Each of said commissioners shall be a qualified elector of the district from which he is elected.

The State of Alabama, }
Hale County. }

Personally appeared before me, F. L. Boardman, notary public in and for said State and county, H. G. Ben-
ners, who, being first duly sworn, deposes and says:
That he is the editor and publisher of the Alabama
Beacon, a newspaper published at Greensboro, Hale
county, Alabama; that the foregoing notice was and has
~~been published once a week for four consecutive weeks~~
prior to the date in said Alabama Beacon, the first no-
tice appearing on February 20, 1907.

H. G. Benners,
Publisher of Alabama Beacon.

Sworn to and subscribed before me this the 2nd day
of July, 1907.

F. L. Boardman,
Notary Pub., Hale Co., Alabama.

H. 870. To repeal an act entitled "An act to establish
the county court of Coffee for Coffee county with crim-
inal jurisdiction in misdemeanor cases," approved Feb-
ruary 8th, 1901, and all subsequent and amendatory
acts relating to said court, and to transfer all the civil
and criminal proceedings therein pending, together with
all the dockets, papers and books relating to said cases
in said county court of Coffee to the circuit court of
Coffee county, Alabama.

And sends the same to the Senate, with notice and
proof attached and herewith exhibited as follows:

NOTICE AND PROOF.

The State of Alabama, }
County of Coffee. }

Before me, T. D. L. Edwards, a notary public in and
for said county, personally appeared G. W. Carlisle,
known to me to be editor and publisher of the People's
Ledger, a newspaper published at Enterprise, in the
county of Coffee, State of Alabama, who, being by me
first duly sworn, doth state on oath, that he is the editor
and publisher of said newspaper, that the same has been

for more than twelve months last past published and issued regularly in weekly editions in said county, and that the notice hereto attached marked "Exhibit A" relating to the repeal of the acts creating the county court of Coffee county, was published, without cost to the State, once a week for four consecutive weeks in said newspaper, and in said county, next before the making of this affidavit.

G. W. Carlisle.

Sworn to and subscribed before me this 18th day of February, 1907.

T. D. L. Edwards,
Notary Public.

H. 1049. To provide for the holding of two terms, each year, of the circuit court of the ninth judicial circuit at Albertville, in Marshall county, and to regulate the same.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

A BILL

To be entitled an act to provide for the holding of two terms, each year, of the circuit court of the ninth judicial circuit at Albertville, in Marshall county, and to regulate the same.

Sec. 1. Be it enacted by the Legislature of Alabama, That there shall be held in Albertville, Marshall county, during each year after the passage of this act, two terms of the circuit court of the ninth judicial circuit, or any other circuit in which Marshall may be placed by any past or future act of the Legislature of Alabama, which terms shall commence on the third Monday in May and November and may continue two weeks.

Sec. 2. Be it further enacted, That said court shall have jurisdiction to try and determine all civil causes in which the defendant, or one of the defendants, at the time of the commencement of the suit, is a resident citizen of the territory on Sand Mountain, in Marshall county, embraced in Albertville precinct No. 4, Jaybird precinct No. 5, Rock Spring precinct No. 13, Friendship

precinct No. 16, Kirby precinct No. 17, Thompson precinct No. 18, Red Apple precinct No. 20, Reedbrake precinct No. 22, and Hooper's precinct No. 24, making the western brow of Sand Mountain the dividing line from the remainder of Marshall county; also when the defendant is a resident of Marshall county and the cause of action arises in said territory embraced in said precincts on Sand Mountain; also when the defendant is a corporation doing business in said territory embraced in said precincts on said Sand Mountain and the cause of action arises or the plaintiff resides within the territory embraced within said precincts on Sand Mountain.

Sec. 3. That all causes pending in the circuit court of Marshall county, in which the defendant, at the time the suit was commenced, resided within the territory embraced within the said precinct on Sand Mountain, and all causes against corporations where the cause of action originated in said territory embraced within said precincts on Sand Mountain or where the plaintiff resided in the territory embraced in said precincts on Sand Mountain or where the plaintiff resides in the territory embraced in said precincts on Sand Mountain at the time the suit was begun, shall be transferred from the dockets of said court at Guntersville, to the docket of said court to be held at Albertville, and shall stand for trial at the first term of said court held at Albertville.

Sec. 4. Be it further enacted, That said court at Albertville shall be presided over by the judge of the ninth judicial circuit as is now provided by law in the State of Alabama, so long as Marshall county continues in said ninth judicial circuit, and then by the judge of the circuit in which Marshall county is situated.

Sec. 5. Be it further enacted, That the clerk of the circuit court of Marshall county shall be ex-officio the clerk of said court at Albertville and shall be required to procure and keep all necessary dockets and records for the use of said court, and the dockets, records and papers pertaining to said court shall be kept at Albertville. Said clerk of the circuit court of Marshall county shall keep an office at Albertville, in which the records, books and papers pertaining to said court shall be kept, and

shall also, what time he is not at said office, keep a deputy clerk in said office, who shall be authorized and empowered to discharge in the name of the clerk of the circuit court of Marshall county, all the duties of said office pertaining to the business of said court at Albertville. Said books, records and papers shall at all times be open for inspection by said court and its officers. The said clerk of the circuit court of Marshall county and said deputy at Albertville shall do and perform all acts pertaining to said court at Albertville as is now required of the clerk of the circuit court of Marshall county in reference to matters in the circuit court of said county.

Section 6. Be it further enacted, that the sheriff of Marshall county shall be required to keep an office in the court house at Albertville and keep the same open in person or by deputy for the reception and service of all instruments and the transaction of all business that may be, or that is now, required of him by law; and shall serve or execute all papers and process issued by said court at Albertville and shall attend upon each term of said court; and shall procure for the use of said court all the digests, and law books owned by the county, and for the transportation of said books the commissioners' court of said county shall issue a warrant payable to the sheriff for the amount actually expended by him for said purposes.

Sec. 7. Be it further enacted, That all summons or process issued under the provisions of this act shall be returnable to the circuit court at Albertville and so designated in said summons or process.

Sec. 8. Be it further enacted, That jurors shall be drawn and summoned for each term of said court at Albertville in the same manner as now prescribed by law for drawing and summoning jurors in Marshall county, from the qualified jurors who reside in the said territory embraced in said precincts on Sand Mountain in Marshall county, which said jurors when so drawn and summoned, shall attend and serve upon said court under the pains and penalties now provided by law for the service of jurors upon the circuit court of Marshall county. Said jurors shall be drawn from a box as now provided

by law, except that there shall be no names in the box except the names of the qualified jurors of said territory in said precincts on Sand Mountain in Marshall county; and said jurors shall be paid for their attendance and mileage in the same amount and in the same manner as jurors in the circuit court of Marshall county.

~~Sec. 9. Be it further enacted, That the first term of said court at Albertville shall be held on the third Monday in November, 1907, or as soon thereafter as there shall be erected a court house at Albertville, suitable for holding the said court, without cost to the county of Marshall so far as the court house is concerned.~~

Sec. 10. Be it further enacted, That before entering upon the discharge of their duties under the provisions of this act, the sheriff and circuit clerk of Marshall county shall each make and execute bond in the sum of two thousand dollars, conditioned, as now required by law for the faithful performance of their duties under the provisions of this act, provided that after the expiration of the present term of said sheriff and clerk, the bonds that are now required of them by law shall be liable for the faithful discharge of their duties under the provisions of this act, and the failure of the sheriff or clerk to make said bond with sufficient sureties and conditions as required by this act within thirty days after this act is approved by the governor, shall work a forfeiture of their respective offices.

Sec. 11. Be it further enacted, That the provisions of this act shall not go into effect until the erection of said court house as herein provided except for the purpose of drawing said juries.

Notice is hereby given that the bill above set out and published will be introduced for passage at the adjourned term of the Legislature of Alabama which convenes on July 9, 1907.

The State of Alabama, }
Marshall County. }

Before me, A. B. Hooper, a notary public, in and for said State and county, personally appeared A. R. Kear-

ney, editor and proprietor of the Marshall Banner, a weekly newspaper published at Albertville, in Marshall county, Alabama, who being by me duly sworn, saith upon oath that the foregoing bill was published in said Marshall Banner for four consecutive weeks.

A. B. Kearney.

Subscribed and sworn to before me, this the 6th day of July, 1907.

A. B. Hooper,
Notary Public.

H. 1089. To require one round to be made by the tax collector and tax assessor of Blount county for the purpose of assessing and collecting taxes, said round to begin the first Monday of November of every year.

And sends the same to the Senate with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Blount County. }

Before me the undersigned authority personally appeared F. G. Stephens who being first duly sworn deposes and says that he is the editor and owner of the Southern Democrat, a weekly newspaper published in said Blount County and that a notice was published in said paper for four consecutive weeks beginning June — that a bill would be introduced at the present session of the Legislature to require the tax-collector and tax assessor to make one round in said county for the assessment and collection of taxes, copy attached.

F. G. Stephens.

Sworn to and subscribed before me this June 28, 1907.

W. A. Weaver, Notary Public.

NOTICE.

Notice is hereby given that a bill will be introduced at the present session of the Legislature of Alabama in substance as follows: that the tax collector and the tax assessor of Blount county shall be required to make but

one round in said county for the collection and assessment of taxes said round to begin the first Monday in November.

H. 1099. To amend section 3 of an act entitled "An act to establish a separate school district in Clarke county, Alabama, to be known as the Grove Hill school district, and to provide for the maintenance of the same," approved March 4th, 1901.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
County of Clarke. }

Before me, Wm. D. Dunn, a notary public in and for said State and county, personally appeared George Carleton, who, being duly sworn, deposes and says that he is publisher of the Clarke County Democrat, a newspaper published in Grove Hill, Clarke county, Alabama, and that the notice of proposed legislation hereto attached was published in said paper four weeks, beginning May 30th, 1907, and ending July 4th, 1907.

G. A. Carleton.

Subscribed and sworn to before me this the 8th day of July, 1907.

W. D. Dunn,

Notary Public, Clarke County, Alabama.

NOTICE.

Application will be made to the Legislature to amend section 3 of an act entitled an act to establish a separate school district in Clarke county, Alabama, to be known as the Grove Hill school district, and provide for the maintenance of the same, approved March 4, 1901, so that said section shall read as follows:

Sec. 3. Be it further enacted, That on the first Monday in January, 1908, and every 2 years thereafter, the white patrons of said district shall assemble at the school house thereof, at ten o'clock, a. m., and elect five trustees, who shall serve for two years and until their

successors are elected. That said board of trustees so elected shall elect from their number a chairman, whose duty it shall be to preside at and call all necessary meeting of said board, to approve the quarterly reports of teachers in the manner provided by the general school laws for the trustees of townships, and to perform all other duties that said board of trustees may prescribe.

H. 1098. To provide for closing and discontinuing the dispensary operated under an act to establish a dispensary in the town of Clanton, county of Chilton, State of Alabama, and to provide for the conduct and regulation of the same, approved March 2, 1907.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Chilton County. }

I, Frank Crichton, editor and publisher of The Banner, a newspaper published in Chilton county, Alabama, hereby certify that the following notice:

NOTICE.

The public will take notice that a bill will be introduced in the Legislature of the State of Alabama, during the adjourned session thereof which reconvenes in July, 1907, to amend an act entitled "An act to establish a dispensary in and for the town of Clanton, in the county of Chilton, State of Alabama, and to provide for the conduct and regulation of the same," approved March the 2nd, 1907, and to provide for closing and discontinuing the dispensary operated under said act.

This the 13th day of June, 1907.

Was published in The Banner for four consecutive weeks.

Frank Crichton,
Editor and Publisher of The Banner.

Sworn to and subscribed before me, this July 8th, 1907.

Sam W. Collins,
Clerk Circuit Court Chilton County, Alabama.

H. 1119. To declare the ownership of all books of record, all books of every character kept by any officer of the circuit court of Henry county at Dothan and Columbia, and all papers of every character pertaining to any cause, civil or criminal, theretofore disposed of, or pending or originating in said courts and not finally disposed of, including indictments where no arrests had been made, at the time of the organization of the county of Houston to be the property of Houston county and same to be kept in the office of the clerk of the circuit court of Houston county; to give the circuit court of Houston county jurisdiction of all such causes, civil or criminal, including indictments, where no arrest had been made at the time of the organization of said Houston county, except where the defendant was at the time of the commission of the offense alleged, in what is now Henry county, in which latter event the circuit court of Henry county shall have jurisdiction of the offense; to prescribe the duties and powers of the clerk of the circuit court of Houston county and of the sheriffs of their respective counties with reference to the issuance of process and the execution thereof in such causes, and to ratify and confirm all orders and judgments and proceedings of the circuit courts of Henry and Houston counties in any of said causes, and the acts of the clerks of the circuit courts of said counties and of the sheriffs of their respective counties, within their powers and duties, in and about any of said causes, including the issuance of capias and arrests thereon, on indictments returned to said circuit courts of Henry county at Dothan and Columbia, and to declare same of legal force and effect the same as though such cases had originated in said circuit courts of Houston or Henry counties.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE OF PUBLICATION.

Notice is hereby given that the Legislature of the State of Alabama will be requested to pass a bill to de-

clare the ownership of all books of record, all books of every character kept by any officer of the circuit court of Henry county at Dothan and Columbia, and all papers of every character pertaining to any cause, civil or criminal, therefore disposed of or pending or originating in said courts and not finally disposed of, including indictments, where no arrest has been made, at the time of the organization of the county of Houston, to be the property of Houston county, and same to be kept in office of the clerk of the circuit court of Houston county, to give the circuit court of Houston county jurisdiction of all such causes civil or criminal, including indictments where no arrest had been made at the time of the organization of said Houston county, except where the defendant was at the time of the commission of the offense alleged, in what is now Henry county, in which latter event the circuit court of Henry county shall have jurisdiction of the offense; to prescribe the duties and powers of the clerk of the circuit court of Houston and of the sheriffs of their respective counties with reference to the issuance of process and their execution thereof in such causes and to ratify and confirm all orders and judgments and proceedings of the circuit courts of Henry and Houston counties in any of said causes, and the acts of the clerks of the circuit courts of said counties and of the sheriffs of their respective counties, within their powers and duties, in and about any of said causes, including the issuance of capias and arrests therein on indictments returned to said circuit courts of Henry county at Dothan and Columbia, and to declare same of legal force and effect the same as though such cases had originated in said circuit courts of Houston or Henry counties.

The State of Alabama, }
Houston County. }

Before me, H. A. Pearce, judge of the 12th judicial circuit in and for said State and county, personally appeared W. T. Hall, who, being first duly sworn, deposes and says, that he is the publisher of The Dothan Eagle, a newspaper published weekly in the town of Dothan;

Houston county, State of Alabama; that the foregoing and attached notice was published in The Dothan Eagle for four consecutive weeks prior to this date.

W. T. Hall.

Sworn and subscribed to before me this the 6th day of July, 1907.

H. A. Pearce,

~~Judge of the 12th Judicial Circuit.~~

H. 1095. To require the tax assessor and tax collector of Calhoun county, Alabama, to visit the voting places in each precinct in Calhoun county, Alabama, once in each year, for the purpose of assessing and collecting taxes. The said tax assessor and tax collector shall each keep his office open at the court house of said county from October the 1st to December the 31st of each year.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
County of Calhoun. }

Personally appeared before me this third day of July, 1907, E. B. McKee, who, being duly sworn, doth depose and say: That he is general manager of the Anniston Evening Star, a newspaper published in the city of Anniston, county and State aforesaid, and that the notice hereto attached, clipped from a copy of said newspaper, was printed in the Evening Star once a week for four consecutive weeks, the date of the first publication being February 25th, 1907.

E. B. McKee,
General Manager.

Sworn and subscribed to before me this third day of July, A. D., 1907.

E. F. Crook,

Judge of Probate Court.

NOTICE.

Notice is hereby given that application will be made at the present session of the Legislature of Alabama to

enact a law, requiring the tax assessor and tax collector of Calhoun county to make only one round in the assessment and collection of taxes, between the 15th day of October and the 1st day of December, provided they keep their respective offices open at the court house during the entire month of December of each year.

February 25, 1907.

Dave Cowden,
D. Z. Goodlett.

H. 832. To vacate the dedication of all that part of Charles avenue lying north and east of the eastern line of Twelfth street as now located, between avenues "H" and "I" in the city of Birmingham, Jefferson county, Alabama, and which was dedicated as a public highway.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Jefferson County. }

Before me, W. G. Schuster, a notary public in and for said county in said State, personally appeared E. W. Ellis, who is known to me and who being by me duly sworn, deposeth and saith on oath that he is the cashier of the Birmingham News, and that the Birmingham News is a newspaper published in the city of Birmingham in said county.

Affiant further saith that the following notice was published in said Birmingham News in the issues of said paper of date January 19th, January 26th, February 2nd, and February 9th, 1907, to-wit:

NOTICE.

Notice is hereby given of the intention to apply to the present session of the Legislature of Alabama to enact into law the following:

A BILL

To be entitled, an act, to vacate the dedication of all that part of Charles avenue lying north and east of

the eastern line of Twelfth street as now located, between avenues "H" and "I", in the city of Birmingham, Jefferson county, Alabama, and which was dedicated as a public highway.

Section 1. Be it enacted by the Legislature of Alabama, That the dedication of that portion of Charles ~~avenue lying north and east of the eastern line of 12th~~ street as now located between avenues "H" and "I" in the city of Birmingham, Jefferson county, Alabama, which was dedicated as a public highway, be and the same is hereby annulled and vacated and shall forever cease to be a public highway.

Notice by:

J. H. Heineke.

Printed copy of which notice is hereto attached, cut from said newspaper and is referred to and made a part hereof.

E. W. Ellis.

Sworn to and subscribed before me, this 13th day of February, 1907.

W. G. Schuster,
Notary Public.

H. 1082. To amend sections 4 and 12 of an act to better provide for the maintaining and keeping in repair the public roads of Escambia county, approved Sept. 17, 1903.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Escambia County. }

Before me, M. F. Brooks, judge of probate in and for said county and State, personally appeared H. C. Rankin, who, being first duly and legally sworn, deposes and says that he is the editor and publisher of the Brewton Standard, a weekly newspaper published in the town of Brewton in said county and State, and that the notice hereto attached and marked "Exhibit A," was published in said newspaper once a week for four (4) successive weeks and that said notice appeared in said newspaper

on the following dates, viz.: May 23d, May 30th, June 6th and June 13th, 1907.

H. C. Rankin,
Editor and Publisher The Brewton Standard.

Sworn to and subscribed before me this the 8th day of July, 1907.

M. F. Brooks,
Judge of Probate, Escambia Co., Ala.

(Exhibit A.)

NOTICE.

Notice is hereby given that a bill will be introduced in the Legislature at its adjourned session in July, 1907, the substance of which will be as follows:

An act, entitled an act to repeal section 4 and amend section 12 of an act approved September 17th, 1903, entitled an act to better provide for the maintaining and keeping in repair the public roads of Escambia county.

Section 1. Be it enacted by the Legislature of Alabama, That section 4 of an act entitled an act to better provide for the maintaining and keeping in repair the public roads of Escambia county, approved Sept. 17th, 1903, be and the same is hereby repealed.

Section 2. That section 12 of said act be amended so as to read as follows:

Section 12. That no person or hand in Escambia county shall be liable or required to work any public road more than six days in any one year, not counting the days engaged in opening new roads, but all hands warned by the overseer for the purpose of working the roads in case of washouts or for removing obstructions or repairing bridges, are bound to attend notwithstanding they have worked six days.

50-4t

H. 1059. To prohibit the sale, barter, exchange, giving away, lending, delivery or otherwise disposing of spirituous, vinous or malt liquors, intoxicating beverages, bitters, cordials or proprietary medicines or alcoholic drinks in Sumter county, Alabama; provided this act shall not prevent its use for religious or sacramental

purposes; to prohibit the shipping into said county by any common carrier, and the bringing into said county by any person for the use of any person other than himself any such spirituous, vinous or malt liquors, intoxicating bitters, intoxicating beverages, intoxicating cordials, or intoxicating proprietary medicines, or alcoholic drinks from any place within this State, and to ~~prohibit the procuring for another or the taking or so~~ liciting or receiving orders for spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters, intoxicating cordials, alcoholic drinks or intoxicating proprietary medicines in said county, and to prohibit the giving of orders for spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters, intoxicating cordials, or intoxicating proprietary medicines, or alcoholic drinks by any person in said county over any telegraph or telephone line, and to prohibit the receiving or sending by any telegraph or telephone company in said county of any order for spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters, intoxicating cordials, intoxicating proprietary medicines, or alcoholic drinks, to any point within this State, and to prohibit any person, firm or corporation in the State of Alabama from shipping into Sumter county, from any point in said State, spirituous, vinous, or malt liquors, intoxicating bitters intoxicating beverages, intoxicating cordials, intoxicating proprietary medicines or alcoholic drinks, and to provide penalties for all such prohibited acts, and to repeal all laws in conflict therewith.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

To Whom it May Concern:

Notice is hereby given that the following bill will be introduced in the Legislature of Alabama at the present session upon the re-assembling of the same in July:

A BILL

To be entitled an act to prohibit the sale, barter, exchange, giving away, lending, delivery or otherwise disposing of spirituous, vinous or malt liquors, intoxicating beverages, bitters, cordials or proprietary medicines or alcoholic drinks in Sumter county, provided this act shall not prevent its use for religious or sacramental purposes, and to prohibit the shipping into said county by any common carrier, and the bringing into said county by any person for the use of any person, other than himself, any such spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters, intoxicating cordials, or intoxicating proprietary medicines, or alcoholic drinks from any place within this State, and to prohibit the procuring for another or the taking or soliciting or receiving orders for spirituous, vinous, or malt liquors, intoxicating beverages, intoxicating bitters, intoxicating cordials, alcoholic drinks, or intoxicating proprietary medicines in said county, and to prohibit the giving of orders for spirituous, vinous, or malt liquors, intoxicating beverages, intoxicating bitters, intoxicating cordials, or intoxicating proprietary medicines, or alcoholic drinks by any person, in said county over any telegraph or telephone line, and to prohibit the receiving or sending by any telegraph or telephone company in said county of any order for spirituous, vinous, or malt liquors, intoxicating beverages, intoxicating bitters, intoxicating cordials, intoxicating proprietary medicines, or alcoholic drinks to any point within this State, and to prohibit any person, firm or corporation in the State of Alabama, from shipping into Sumter county from any point in said State, spirituous, vinous, or malt liquors, intoxicating bitters, intoxicating beverages, intoxicating cordials, intoxicating proprietary medicines or alcoholic drinks, and to provide penalties for all such prohibited acts, and to repeal all laws in conflict therewith.

Section 1. Be it enacted by the Legislature of Alabama, That it shall be unlawful for any person, firm or corporation to sell, barter, exchange, give away, lend, deliver or otherwise dispose of any spirituous, vinous, or malt liquors, intoxicating beverages, intoxicating cordials, or intoxicating bitters, or intoxicating proprietary medicines, or alcoholic drinks in Sumter county, Alabama. ~~Provided this act shall not prohibit its use~~ for religious or sacramental purposes.

Section 2. Be it further enacted, That it shall be unlawful for any common carrier, person or corporation to ship, bring or carry into Sumter county from any place or point within this State for the use of any other person than himself, herself or itself, any spirituous, vinous, or malt liquors, or intoxicating beverages, intoxicating bitters, intoxicating cordials, or intoxicating proprietary medicines, or alcoholic drinks.

Section 3. Be it further enacted, That it shall be unlawful for any person, firm or corporation, to procure or obtain for any other person in said county any spirituous, vinous, or malt liquors, intoxicating beverages, intoxicating cordials, or intoxicating proprietary medicines, or alcoholic drinks.

Section 4. Be it further enacted, That it shall be unlawful, to take or solicit in Sumter county, any order or orders for spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters, cordials or intoxicating proprietary medicines, or alcoholic drinks, or to carry within or from said county any such order, or orders.

Section 5. Be it further enacted, That it shall be unlawful for any person, firm or corporation in said county to order, give or receive or transmit any order or orders, to any point within this State for himself, or any other person, firm or corporation, over any telephone or telegraph line for spirituous, vinous or malt liquors, intoxicating beverages; or intoxicating bitters, or intoxicating cordials, intoxicating proprietary medicines, or alcoholic drinks, to be sent or brought or shipped into Sumter county.

Section 6. Be it further enacted, That it shall be unlawful for any person, firm or corporation in the State of Alabama, to ship into Sumter county from any point within the State of Alabama any spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bit-
ters, intoxicating cordials, intoxicating proprietary medicines, or alcoholic drinks.

Section 7. Be it further enacted, That any person violating sections one, two, four, five and six of this act shall be deemed guilty of misdemeanor, and upon conviction thereof, shall be imprisoned in the county jail or sentenced to hard labor for the county for not less than three months, and not more than twelve months, and shall also pay a fine of not less than fifty nor more than five hundred dollars.

Section 8. Be it further enacted, That any person violating section three of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than twenty-five nor more than five hundred dollars, and may also be imprisoned in the county jail or sentenced to hard labor for the county not more than twelve months in the discretion of the court.

Section 9. Be it further enacted, That if any section provision, or part of this act shall for any reason be or held by any court of competent jurisdiction to be invalid, inoperative or void, the residue of this act shall not be invalidated or effected thereby.

Section 10. Be it further enacted, That this act shall go into effect and become operative from and after the date of its approval, and all laws or parts of laws general or special in conflict with any provisions of this act be and the same are hereby repealed.

The State of Alabama, }
Sumter County. }

Before me, Thos. F. Seale, a notary public and ex-officio justice of the peace in and for said State and county, personally appeared W. H. Lawrence, who being first duly sworn deposes and says that he is the editor and publisher of Our Southern Home, a weekly newspaper published in said county, and that publication of a cer-

tain notice, of which the foregoing is a true copy, has been made in said paper for four consecutive weeks, to-wit: on the 5th day of June, 1907, on the 12th day of June, 1907, on the 19th day of June, 1907, and the 26th day of June 1907.

W. H. Lawrence.

Sworn to and subscribed before me this the 6th day of July, 1907.

Thos. F. Seale,

N. P. & Ex. Off. J. P.

H. 892. To further regulate the working of the public roads of Bibb county, Alabama.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

LEGAL NOTICE.

Notice is hereby given that a bill will be introduced and an application will be made for the passage of same before the legislature of the State of Alabama when it convenes in July 1907.

1st. To regulate the public roads of Bibb county, Alabama, and the repairing and working of same.

2nd. To provide for two road supervisors for Bibb county, and to provide for their selection and to prescribe their duties, qualifications, term of office, compensation, and penalties for failure in discharge of their duties.

3rd. To provide for the collection of the per capita road tax, and to fix the amount of same.

4th. To provide for the relocating and re-establishing of the public roads of Bibb county.

5th. To prescribe who shall be subject to road duty in Bibb county, to prescribe the length of time required to ~~work~~ and to fix the time for the payment of the per capita tax.

6th. To provide for the levying of the same special tax, which is two twentieths of one percentum upon the taxable property of the county, as is now authorized by

law, and to provide for the collection and disbursement of same.

7th. To provide for the working and repairing of the public roads of Bibb county, Alabama, and to prescribe who shall be in control of same, and to prescribe penalties for the failure of any person or officer to discharge his duties to the public roads, and to prescribe penalties for the violation of any provision of the road law for Bibb county.

8th. To prescribe how the names of persons subject to road duty may be procured, and to provide for the warning of men subject to road duty and all other acts incident to the working and repairing of the public roads of Bibb county.

9th. To prescribe what shall be an improper use of the public roads or bridges of the county and to prescribe penalties for the improper use of same.

9th. To authorize the commissioners court of Bibb county to provide for working and to work the county convicts on the public roads of the county.

9 1-2. To provide for overseers or assistant supervisors and to prescribe their duties, compensation and penalties for failure to discharge their duties or enforcement of the law.

10th. To provide for a bond to be given by any person or officer collecting or having in charge or under control any of the road funds of Bibb county.

11th. To make any and all provision necessary or incident to the working or improving of the public roads of Bibb county, Alabama, and to make any and all provision for or incident to the execution or enforcement of this proposed law.

12th. Appropriate penalties and remedies will be enacted and provided for to secure the execution and enforcement of this proposed law.

W. L. Pratt,
H. E. Reynolds,
J. T. Fuller,

Committee appointed by Good Roads Meeting, June 8th,
1907.

The State of Alabama, }
 Bibb County. }

Before me R. L. Avery, clerk of the circuit court in and for said county and State personally appeared L. H. Nunnelee who being first duly sworn on his oath states, that he is now and has been for more than twelve months ~~prior to this date editor and publisher of The Centerville Press a weekly newspaper published weekly at Centerville in Bibb county, Alabama:~~ That the above notice is a clipping from the Centerville Press and that the above notice was published in The Centerville Press for four consecutive weeks, viz: in the issue of the said newspaper on the 13th, 20th, and 27th, days of June 1907 and on the 4th, day of July 1907, and that the said notice was published for four consecutive weeks in said newspaper prior to this date.

L. H. Nunnelee,
 Editor and Publisher of The Centerville Press.

Sworn to and subscribed before me this 6th day of July, 1907.

R. L. Avery,
 Clerk Circuit Court Bibb County, Ala.

H. 861. To authorize and empower the board of mayor and aldermen of the city of Bridgeport, Jackson county, Alabama, to release manufacturing establishments, within said city from the payment of city taxes.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that application will be made to the present Legislature to pass an act authorizing the city of Bridgeport, Alabama, to release manufacturing establishments within said city from the payment of city taxes.

And, also, application will be made to the present Legislature to pass an act giving the board of mayor and aldermen of the city of Bridgeport, Alabama, authority to permit children living without the corporate limits of

said city to attend the public schools within said city upon such terms as said board may prescribe.

J. L. Hackworth,
City Att'y.

The State of Alabama, }
Jackson County. }

Before me, W. W. McCutchen, probate judge for said county, personally appeared L. E. Brown, the editor and proprietor of the Progressive Age, a newspaper published in said county, who, being duly sworn, deposes and says that the foregoing notice was published in said newspaper for the period of 4 weeks prior to the 1st day of Feb., 1907.

L. E. Brown.

Sworn to and subscribed before me this 23rd day of Feb., 1907.

W. W. McCutchen,
Probate Judge.

H. 1054. To require the court of county commissioners of Marion county, Alabama, to use two mills each year of the two and one-half mills now used for bridges for the improvement of the public roads of the county through a public road superintendent or superintendents to be appointed by said court of county commissioners which court shall fix their compensation to be paid out of the said funds; to allow all persons subject to road duty in said county to pay \$5.00 instead of working the ten days now required; and to provide how and when this law shall go into effect.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that a bill will be introduced in the Legislature, session 1907, to require the court of county commissioners of Marion county to use 2 mills each year of the 2 1-2 mills now used for bridges for the improvement of the public roads of the county through a public road superintendent or superintendents of their appointment, whose compensation shall be fixed by said

court and paid out of said fund not to exceed \$2.00 per day for each day he works; and to allow all persons subject to road duty in said county to pay \$5.00 instead of working the ten days now required; provided said law shall not be effective until the tax year beginning October 1, 1909, and provided it shall be submitted to the voters of said county at the general election in 1908 for approval.

~~C. E. Mitchell~~

The State of Alabama, }
Marion County. }

Before me, Mack Pearce, judge of probate in and for said State and county, this day personally appeared G. J. Wilson, who is personally known to me to be the editor and publisher of the Marion County News, who, being by me first duly and legally sworn, deposes and says that he is the editor and publisher of the Marion County News, and that said Marion County News is a weekly newspaper published in the town of Hamilton, in said State and county; and affiant further states that a certain advertisement, a true and correct copy of which is hereunto attached, was published in said newspaper for four consecutive weeks prior to the 28th day of February, 1907; and affiant further states that said publication was made without cost to the State.

G. J. Wilson,
Editor Marion County News.

Sworn to and subscribed before me this the 28th day of February, A. D., 1907.

Mack Pearce,
Judge of Probate.

H. 1050. To prescribe the duties, fix the fees and commissions of the deputy solicitor of Escambia county, Alabama, and make disposition of the residue of the fees and commissions earned by such solicitor.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Escambia County. }

Before me, John D. Leigh, a notary public, in and for the State and county aforesaid, this day personally appeared Herbert C. Rankin, who being by me first duly and legally sworn, deposes and says that he is the editor and publisher of The Brewton Standard, a weekly newspaper published in the town of Brewton, county of Escambia and State of Alabama, and that the notice hereto attached, and marked "Exhibit A," was published in the said The Brewton Standard, once a week for four (4) consecutive weeks, and that said notice appeared in said paper on the following dates, June 6th, June 13th, June 20th, and June 27th, 1907.

Herbert C. Rankin,
Editor and Publisher of The Brewton Standard.

Sworn to and subscribed before me, this 8th day of July, 1907.

John D. Leigh,
Notary Public.

NOTICE.

(Exhibit A.)

Notice is hereby given that on the reconvening of the Legislature of Alabama, application will be made to the Legislature of Alabama, to pass a bill prescribing the duties, fixing the compensation and fees of the deputy solicitor of Escambia county, and making disposition of the residue of the fees and commissions earned by such solicitor, which bill will be in substance as follows:

A bill to be entitled an act to prescribe the duties, fix the fees and commissions of the deputy solicitor of Escambia county, Alabama, and make disposition of the residue of the fees and commissions earned by such solicitor.

Be it enacted by the Legislature of Alabama:

Section 1. That it shall be the duty of the deputy solicitor of Escambia county, Alabama, to represent the State in the county court of said county and to prosecute all persons charged with offenses before said court; to

aid and assist the circuit solicitor in all procesutions in the circuit court of said county, and he may also represent the State in habeas corpus proceedings and in trials for commitment, where the defendant is charged with a felony. He may also attend all grand juries organized in said county, advise them in relation to matters of law, swear and examine witnesses before them and draw all indictments found by them.

Section 2. That such deputy solicitor of Escambia county may collect and retain for his services the fees and commissions earned by him in the county court of Escambia county during the year, not to exceed the sum of seven hundred and fifty (\$750) dollars per annum.

Section 3. That the residue of all fees and commissions above the amount mentioned in section two of this act must be paid into the county treasury and be placed to the credit of the fine and forfeiture fund of said county.

H. 1194. To establish, maintain and regulate a dispensary in the city of Uniontown, Perry county, Alabama, for the sale of spirituous or vinous liquors or malt liquors, wines, ciders or other intoxicating liquors, and to establish a board of drectors for the purpose of better controlling and managing the sale of spirituous or vinous liquors, malt liquors, wines, ciders or other intoxicating liquors; to provide for the distribution of the profits from the sale of said liquors in said dispensary between said city and said county, and for other purposes.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Perry County. }

Before me, J. B. Shivers, probate judge of said county, personally appeared G. H. Greer, who, being first duly sworn, deposeth and saith, that he is publisher of the Marion Standard, a weekly newspaper published in said county; that the following notice, to-wit:

NOTICE.

Application will be made to the Legislature at the adjourned session commencing during the month of July, 1907, to establish, maintain and regulate a dispensary in and for the city of Uniontown, in Perry county, Alabama, for the sale of spirituous, vinous and malt liquors, and to establish a board of directors for the purpose of better controlling and maintaining the sale of said liquors; said city to manage said dispensary through said board of directors; said directors to hold office for one year each, and shall each receive a salary of \$25.00 per annum; said directors shall purchase the liquors sold in said dispensary, shall appoint a manager of the dispensary whose salary shall not exceed \$1,000.00 per annum; said directors shall also elect a secretary and treasurer whose term of office shall be one year, and shall receive a salary of \$50.00 per annum. Said proposed act shall also provide that the city of Uniontown shall turn over to the board of directors created by this act all of the stock of liquors in the present dispensary operated by said city. Said dispensary created herein shall be operated from the funds arising from sale of liquors therein, provided that if necessary to inaugurate said dispensary, said city shall invest not exceeding \$2,000.00 herein. On and after 1 October, 1907, one half of the net proceeds of said dispensary shall be paid to the treasury of the city of Uniontown, and on and after said date one-half of the net proceeds of said dispensary shall be paid to the county treasurer of Perry county, to be used exclusively on the public roads of said county under the direction of court of county commissioners; and to provide further for semi-annual settlements with said county, and to further provide for the examination and auditing of the books of said dispensary by said county commissioners, or its agents.

Dated June 12, 1907.

Has been published for four consecutive weeks in said newspaper, the same having been inserted in said news-

papr on the 14th day of June, 1907, and appearing in each issue of said newspaper to the 4th day of July, 1907.

Chas. H. Greer.

Subscribed and sworn to before me this the 5th day of July, 1907.

J. B. Shivers,

Judge of Probate, Perry Co., Alabama.

H. 896. To repeal an act entitled "An act to authorize the commissioners' court of Butler county to order elections for the establishment of districts in which stock shall be prevented from running at large."

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Butler County. }

Before me, Thos. J. Judge, a notary public in and for said county and State, personally came Gordon Pierce, who is known to me and who being first, by me, duly sworn, doth depose and on oath say as follows, to-wit: That he is the manager of the printing department of the Greenville Advocate, a weekly newspaper published at Greenville in said county and State; that the notice, a copy of which is hereinafter set forth, was published in said county in said paper for four consecutive weeks beginning with January 16th, 1907; and that the following is a true and correct copy of said notice:

NOTICE.

Notice is hereby given that a bill will be introduced in the Legislature of Alabama, now in session, for the purpose of repealing an act entitled "An act to authorize the commissioners' court of Butler county to order elections for the establishment of districts in which stock shall be prevented from running at large," approved Feb. 17th, 1893, and which said act is found in acts of Alabama of 1892-3 on pages 660, 661, 662, 663. This 12th day of Jan. 1907.

J. Lee Long.

Gordon Pierce.

Sworn to and subscribed before me on this 6th day of
July, 1907.

Thos. J. Judge,
Notary Public.

H. 1197. To provide for an election in Perry county, Alabama, to determine whether spirituous, vinous and malt liquors shall be sold in said county after October 15th, 1907; to provide for holding said election, and for other purposes.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Perry County. }

Before me, J. B. Shivers, judge of probate in and for said county and State, personally appeared C. H. Greer, who, first being duly sworn, doth depose and say as follows, to-wit: That he is the owner, editor and publisher of the Marion Standard, a weekly newspaper published in Marion, Perry county; that the attached notice was published in said newspaper four consecutive weeks, beginning on March 6th, 1907.

Chas. H. Greer.

Sworn to and subscribed before me this the 27th day
of June, 1907.

J. B. Shivers,
Judge of Probate, Perry County, Ala.

LEGAL NOTICE.

Application will be made to the Legislature in July, 1907, for the passage of a law ordering an election in Perry county, Alabama, to determine whether or not spirituous, vinous or malt liquors shall be sold in said county after October 15, 1907.

T. H. Long,
J. J. Brown.

3-6-4

H. 895. To repeal an act entitled an act to provide for the election of the county superintendent of educa-

tion by a vote of the legal electors of Covington and Bullock counties, approved February 17th, 1885, so far as the same relates to Bullock county.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE TO CHANGE ELECTIONS OF COUNTY SUPERINTENDENT OF EDUCATION.

Notice is hereby published that many voters intend to apply to our Senator and Representatives to the present legislature, to repeal the law published in the acts of Alabama, 1884-85, page 721, wherein it is declared that the superintendent of education shall be elected on the first Monday of August, 1886, and every two years thereafter.

The State of Alabama, }
Bullock County. }

Before me, John K. Franklin, a justice of the peace, in and for said county and State, personally appeared T. F. McGowan, who is known to me and who being duly sworn deposeth and says that the above notice was published at least once a week for four consecutive weeks, in the Union Springs Herald, a newspaper published in said county and State.

T. F. McGowan,

Subscribed before me this the 8th day of July, 1907.

J. K. Franklin,
Notary Public, and J. P.

H. 1051. To provide for the payment by the county of Escambia of all accounts for postage used by certain officers of said county.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Escambia County. }

Before me, John D. Leigh, a notary public, in and for said county and State, this day personally appeared

Herbert C. Rankin, who being by me first duly and legally sworn, deposes and says that he is editor and publisher of the Brewton Standard, a weekly newspaper published in the town of Brewton, county of Escambia and State of Alabama, and that the notice hereto attached, and marked "Exhibit A," was published in said Brewton Standard once a week for four (4) consecutive weeks, and that said notice appeared in said paper on the following dates, June 6th, June 13th, June 20th, and June 27th, 1907.

Herbert C. Rankin,

Editor and Publisher of Brewton Standard.

Sworn to and subscribed before me this the 8th day of July, 1907.

John D. Leigh,

Notary Public.

NOTICE.

(Exhibit A.)

Notice is hereby given that on the reconvening of the Legislature of Alabama, application will be made to the Legislature to pass a bill to provide for the payment by the county of Escambia of all accounts for postage used by certain officers of said county; which bill will be in substance as follows:

A bill to be entitled an act to provide for the payment by the county of Escambia of all accounts for postage used by certain officers of said county.

Be it enacted by the Legislature of Alabama:

Section 1. That from and after the passage of this act all postage used by the probate judge, circuit clerk, register in chancery, sheriff, county superintendent of education, county treasurer, tax assessor and tax collector of Escambia county, Alabama, in their official correspondence shall be paid for out of the treasury of said county, the accounts for which shall be audited and allowed as are other claims against said county.

Section 2. That all laws and parts of laws in conflict herewith be and the same are hereby repealed.

H. 1037. To ratify and confirm the acts and contracts of the court of county commissioners of Wilcox county, or other authorized agents of said county, borrowing money for the use and benefit of said county, and to ratify and confirm the warrants given for money so borrowed, and for the interest thereon, and for warrants heretofore issued for said purpose.

~~And sends the same to the Senate, with notice and~~
proof attached and herewith exhibited as follows:

NOTICE.

A bill will be introduced at the ensuing session of the Legislature of Alabama to ratify and confirm the acts and contracts of the court of county commissioners of Wilcox county or other authorized agents of said county for the use and benefit of said county, and to ratify and confirm the warrants given for money so borrowed and for the interest thereon, and for warrants heretofore issued for said purpose.

The State of Alabama, }
Wilcox County. }

Personally appeared before me, Francis M. Purifoy, a justice of the peace in and for said county, J. R. Foster, who is publisher of the Wilcox Banner, a newspaper published at Camden, Wilcox county, Alabama, and who deposes and says that the notice hereto attached was published in the Wilcox Banner for four consecutive weeks, as required by law.

J. R. Foster.

Sworn to and subscribed before me, this 5th day of July, 1907.

Francis M. Purifoy,
Justice of the Peace.

H. 889. To prohibit the operation of traction engines on the public roads of Bibb county, Alabama.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE OF LOCAL LAWS.

Notice is hereby given that at the adjourned session of the Legislature of Alabama which meets in July next bills will be introduced as follows: Four in number:

1. Prohibiting the running of traction engines in Bibb, Alabama, on the public roads of said county.

11. Imposing a license of \$500.00 per year on each vehicle or engine operated or drawn or propelled on and along the public roads of said county of Bibb, State of Alabama, the tire or thread or wheel face of which said vehicle or engine exceeds eight inches and providing for the collection of said license.

111. Providing that where an engine or vehicle with a tire or thread or wheel face exceeding eight inches is drawn or operated or propelled on or along the public roads of said county of Bibb, State of Alabama, it shall be the duty of the county commissioners residing in the district in which said engine or vehicle is operated to make an inspection at least once each month of the public roads and bridges which have been used or traveled in his district by said engine or vehicle and to assess from the best information which he can obtain the amount of the damage done to said bridges and roads by said engine or vehicle during the thirty days next preceding his inspection, which said damages shall be due to the county of Bibb, State of Alabama for road purposes and which damages so assessed by said commissioner shall be a lien against the said engine or vehicle and to provide for appeals from the decisions and assessment of said commissioner and for the enforcement of the lien herein named.

1111. To regulate the operation of traction engines in Bibb county, Alabama.

Appropriate remedies and penalties will be made a part of each of said bills for the proper enforcement of same.

The State of Alabama, }
Bibb County. }

Before me, R. L. Avery, clerk of circuit court of Bibb county, Alabama, personally appeared L. H. Nunnelee,

who being by me first duly sworn says on oath that he is publisher of the Centreville Press, a newspaper published in Bibb county, Alabama, and that the above and foregoing notice attached to this paper and marked exhibit "A" was published in the Centreville Press for four consecutive weeks. That the first insertion was on the 16th day of May, 1907.

E. H. Nunnelee,

Publisher of Centreville Press.

Sworn to and subscribed before me this the 8th day of July, 1907.

R. L. Avery,

Clerk of the Circuit Court.

H. 1105. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, intoxicating bitters, cordials or other intoxicating drinks or beverages within four miles of Chappel Hill Missionary Baptist church, Cool Springs Missionary Baptist church and the Rutledge Methodist Episcopal church, south, provided, the incorporation limits of the Rutledge Methodist Episcopal church, south, shall not extend further east than the corporate limits of the town of Luverne, all in Crenshaw county, Alabama, to provide the time when it shall be in force and to fix the punishment for the violation thereof.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE

Is hereby given that the following is the substance of a bill that will be introduced in the Legislature in July and passed:

A BILL

To be entitled an act, to prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, intoxicating bitters, cordials or other intoxicating drinks or beverages within four miles of

Chappel Hill Missionary Baptist church, Cool Springs Missionary Baptist church and the Rutledge Methodist Episcopal church, south; provided the incorporation limits of the Rutledge Methodist Episcopal church, south, shall not extend further east than the corporate limits of the town of Luverne, all in Crenshaw county, Alabama, and to provide the time when it shall be in force, to fix the punishment for the violation thereof.

Section 1. Be it enacted by the Legislature of Alabama, That on and after the approval of this act it shall be unlawful for any person, firm or corporation to sell, give away or otherwise dispose of spirituous, vinous or malt liquors, intoxicating bitters, cordials, or other intoxicating drinks or beverages within four miles of Chappel Hill Missionary Baptist church, Cool Springs Missionary Baptist church and Rutledge Methodist Episcopal church, south; provided, that the incorporation limits of the Rutledge Methodist Episcopal church, south, shall not extend further east than the corporate limits of the town of Luverne, all in Crenshaw county, Alabama.

Sec. 2. Any person, firm or corporation violating any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be fined for each offense not less than twenty-five nor more than one hundred dollars, and may also be sentenced to hard labor for the county for not less than thirty days nor more than six months; provided, that nothing herein contained shall be so construed as to prevent the use of wine in churches for communion purposes.

The State of Alabama, }
Crenshaw County. }

Personally appeared before me, M. N. Rushton, a notary public in and for said county, W. B. Howard, who, being duly sworn, says on oath that he is the editor and publisher of the Crenshaw County Critic, a newspaper published in said county, and that the notice and substance of a bill to prohibit the sale, giving away or oth-

erwise disposing of spirituous, vinous or malt liquors, intoxicating bitters, cordials, or other intoxicating drinks, or beverages, within four miles of Chappel Hill Missionary Baptist church, Cool Springs Missionary Baptist church and the Rutledge Methodist Episcopal church, south, all in said county, a copy of which is hereto attached, was published in said Crenshaw County Critic once a week for four consecutive weeks before this date. This 10th day of July, 1907.

W. B. Howard.

Subscribed and sworn to before me this 10th day of July, 1907.

M. N. Rushton,
Notary Public.

H. 1065. To vacate and annul the dedication of the following highways and parts of highways, situated in Birmingham, Jefferson county, Alabama, to-wit:

All of Morris street from its beginning at Eighth street to its end abutting the property heretofore known as the Owen property. All of Eighth street from First avenue, north, to the right-of-way of the Alabama Great Southern railroad company. All of Minnie street from First avenue, north, to the end thereof abutting the property of the Tennessee Coal, Iron and Railroad Company.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Jefferson County. }

Before the undersigned, Lutie Chisholm, a notary public in and for the county and State aforesaid, personally appeared Thomas B. Smith, who is known to me and who being duly sworn deposes and says on oath that he is business manager of the "Birmingham Ledger" and has been such business manager continuously since prior to the fifteenth day of June 1907; that the Birmingham Ledger is a newspaper of general circulation, which has been published daily, except Sundays, in Birmingham, Jefferson county, Alabama, since prior to the

fifteenth day of June 1907; and that the notice hereinbelow attached was published without cost to the State of Alabama, in regular issues of said newspaper which were published on the 15th, 22nd and 29th days of June, and on the 6th day of July 1907, the said notice being in words and figures as follows, to-wit:

NOTICE.

Notice is hereby given that application will be made to the legislature of Alabama to pass a local law to vacate and annul the dedication of the following highways and part of highways, situated in Birmingham, Jefferson county, Alabama, to-wit:

All of Morris street from its beginning at Eighth street to its end abutting the property heretofore known as the Owen property.

All of Eighth street from First avenue, north, to the right-of-way of the Alabama Great Southern Railroad Company.

All of Minnie street from First avenue, north, to the end thereof abutting the property of the Tennessee Coal, Iron & Railroad Company.

Lee C. Bradley,
Thomas B. Smith.

Sworn to and subscribed before me this the 8th day of July A. D. 1907.

Lutie Chisholm,
Notary Public.

H. 948. To provide for the payment of State witnesses in criminal cases in Conecuh county, Alabama.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given of the intention to apply to the legislature of Alabama for the passage and enactment of

a special law providing for the payment of State witnesses in criminal cases in Conecuh county, Alabama.

F. J. Dean.

The State of Alabama, }
Conecuh County. }

Before me, F. J. Dean, judge of probate, in and for said State and county, personally appeared George W. Salter, Jr., who on oath doth say that he is editor and publisher of the Evergreen Courant, a newspaper published weekly in the town of Evergreen, county of Conecuh, State of Alabama, and the foregoing notice has been published every week for four consecutive weeks in said newspaper prior to this date and in the year 1907.

George W. Salter, Jr.

Sworn to and subscribed before me, this the 8th day of July, 1907.

F. J. Dean, Judge of Probate.

H. 868. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors or other intoxicating drinks or beverages within five miles of the Corona Methodist church in Corona, in Walker county, Alabama.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

A NOTICE.

Notice is hereby given that at the session 1907 of the Legislature of Alabama application will be made for the enactment of a law in substance as follows:

A BILL

To be entitled an act to prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors or bitters, beverages or drinks, within five miles of the Methodist church in Corona, Walker county, Alabama.

Sec. 1. Be it enacted by the Legislature of Alabama, That it shall be unlawful for any person, firm or cor-

poration to sell, give away or otherwise dispose of spirituous, vinous or malt liquors, or intoxicating bitters, beverages or drinks within five miles of the Methodist church in Corona, Walker county, Ala.

Sec. 2. Be it further enacted, That any person, firm or corporation violating any of the provisions of this act shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than fifty nor more than five hundred dollars, and may also be imprisoned in the county jail, or sentenced to hard labor for the county for not more than six months.

Sec. 3. Be it further enacted, That all laws and parts of laws in conflict with the provisions of this act be, and the same are hereby repealed.

Jan. 9.

The State of Alabama, }
Walker County. }

Before me, R. T. Knight, a justice of the peace in and for said county, personally appeared W. R. Richardson, who, being by me duly sworn, deposes and says that he is the manager of the Mountain Eagle, a weekly newspaper published in said Walker county, Alabama; that he has personal knowledge that the attached notice to prohibit the sale or giving away of liquor within five miles of the Methodist church at Corona, Ala., has been published in said Mountain Eagle for four consecutive weeks, commencing on the 9th day of January, 1907.

W. R. Richardson, Mangr.

Sworn to and subscribed before me this 26th day of Feb., 1907.

R. T. Knight,
Justice of the Peace.

H. 1044. To alter or change the boundary line between the counties of Etowah and Calhoun, in the State of Alabama, and as altered to establish the same.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
 County of Calhoun. }

On this fourteenth day of June, 1907, personally appeared E. B. McKee, who being duly sworn, doth depose and say: That he is general manager of the Anniston Evening Star, a newspaper published in the city of Anniston, county and State aforesaid; that the notice hereto attached, clipped from the columns of said newspaper, was published in said newspaper once a week for four consecutive weeks, on dates as follows: Dec. 12, 1906, Dec. 19, 1906, Dec. 26, 1906, and on Jan. 2, 1907.

E. B. McKee
 General Manager.

Sworn and subscribed to before me this fourteenth day of June, A. D., 1907.

E. T. Crook,
 Judge of Probate, Colhoun County.

NOTICE.

Of proposed change of boundary line between Etowah and Calhoun counties:

Notice is hereby given that a bill will be introduced at the coming session of the Legislature for the purpose of cutting off the following territory from Calhoun county, to-wit:

Beginning at the northwest corner of section thirty, township twelve, range eight, thence south along range line to the point where said range line intersects the old Indian boundary line, thence easterly along said Indian boundary line to where the same is intersected by the section line between section thirty-three and section thirty-four of said township and range, thence north along said section line and continuing between sections twenty-seven and twenty-eight to the northeast corner of said section twenty-eight, thence westerly along the section line on the north boundary lines of sections twenty-eight, twenty-nine and thirty to beginning point, and adding said territory to Etowah county.

NOTICE

Of proposed boundary line between Etowah and Calhoun counties.

Notice is hereby given that a bill will be introduced at the coming session of the Legislature for the purpose of cutting off the following territory:

Beginning at the northwest corner of section thirty, township twelve, range eight, thence south along range line to the point where said range line intersects the old Indian boundary line, thence easterly along said Indian boundary line, to where the same is intersected by the section line between section thirty-three and section thirty-four of said township and range, thence north along said section line and continuing between sections twenty-seven and twenty-eight to the northeast corner of said section twenty-eight, thence westerly along the section line on the north boundary line of sections twenty-eight, twenty-nine and thirty to beginning point, and adding said territory to Etowah county.

The State of Alabama, }
County of Etowah. }

On this the 6th day of July, 1907, personally appeared Chas. E. Meeks, who being duly sworn doth depose and say: That he is general manager of the Times-News, a newspaper published in the city of Gadsden, county and State aforesaid, that the notice hereto attached was published in said newspaper once a week for four consecutive weeks, on dates as follows:

Chas. E. Meeks,
General Manager.

Sworn and subscribed to before me this 6th day of July, 1907.

Alto Lee, Jr.,
Notary Public, Etowah County.

H. 930. To regulate the administration of the affairs of any municipal corporation which has been absorbed, or its government extinguished by the alteration or re-

arrangement of the boundary lines of another city or town.

And sends the same to the Senate.

H. 273. To fix the ex-officio fees of the clerks of the circuit court in the several counties of the State of Alabama, and to provide for the payment of same.

And sends the same to the Senate.

H. 1077. ~~To allow all foreign corporations liable to~~ an annual franchise tax to deduct from their actual capital employed, or to be employed in this State, that part of such capital consisting of money loaned secured by recorded mortgages on real estate situated in the State.

And sends the same to the Senate.

H. 1055. For the relief of C. D. Horn; to authorize the court of county commissioners of Sumter county to issue a new warrant in favor of said C. D. Horn in lieu of warrant No. 12216, which was barred before being presented for payment.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that a bill will be introduced in the present session of the Legislature to authorize the court of county commissioners of Sumter county to draw their warrant on the county treasurer in lieu of warrant No. 12216 which was barred by the statute of limitations before being presented to the treasurer for payment; and to authorize the treasurer to pay same on presentation.

C. D. Horn.

The State of Alabama, }
Sumter County. }

Before me, W. W. Patton, a notary public in and for said State and county, personally appeared C. H. Allen who being first duly sworn, deposes and says that he is editor and publisher of the Sumter County Sun, a weekly newspaper published in said county, and the publica-

tion of a certain notice, of which the attached is a true copy, has been made in said paper for five consecutive weeks, to-wit: June 6th, June 13th, June 20th, June 27th, and July 4th, 1907. C. H. Allen.

Sworn to and subscribed before me this the 6th day of July, 1907. W. W. Patton,

Notary Public, Sumter County, Ala.

H. 1190. To repeal an act approved September the 30th, 1903, entitled an act to provide a better system and more efficient working of the public roads of Bullock county.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Bullock County. }

Before me, Louis S. Frazer, a notary public in and said State and county, personally appeared Earnest L. Blue, who, being by me first duly sworn, deposes and says that he is the citizen of Union Springs, Alabama; and that the following notice, to-wit:

NOTICE OF LOCAL LEGISLATION.

Notice is hereby given that a bill will be introduced at the adjourned session of the present Legislature of Alabama, which convenes on, to-wit, July the 9th, 1907, for the purpose of repealing an act entitled "An act to provide for a better system, and the more efficient working of the public roads of Bullock county," approved Sept. 30th, 1903.

June 7th, 1907.

Has appeared for the last four consecutive weeks in the Bullock County Breeze, a newspaper published in Bullock county, Alabama. Earnest L. Blue,

Sworn to and subscribed before me this 11th day of July, 1907. Louis S. Frazer.

Notary Public.

H. 1040. For the relief of T. P. Southerland, treasurer of Winston county.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that application will be made to the Legislature of Alabama which convenes on July 9, 1907, to enact a law in substance as follows:

A BILL

To be entitled an act for the relief of T. P. Southerland, treasurer of Winston county.

Whereas, the circuit court of Winston county was held in March, 1907, at a time not authorized by law, and whereas the clerk of said court issued certificates of attendance to the grand and petit jurors attending said term, which certificates were duly presented and in good faith paid by the treasurer of said county, and whereas the authority of said treasurer to pay said certificates is questioned—

Now therefore, be it enacted by the Legislature of Alabama as follows:

Section 1. That T. S. Southerland, treasurer of Winston county, be and he is hereby released from all liability arising or existing by reason of the payment by him from the funds of said county, any and all certificates issued by said clerk of the circuit court of said county to grand and petit jurors attending a term of the circuit court in March, 1907.

Section 2. That the payment by T. S. Southerland, treasurer of Winston county, of the grand and petit jurors thereof, attending a term held or attempted to be held in March, 1907, is in all things ratified and confirmed.

Section 3. That all laws and parts of laws, general, special or local, in conflict with the provisions of this act be and the same hereby are repealed.

The State of Alabama, }
 Winston County. }

I, Geo. W. Adkins, publisher of the New Era, a newspaper published in said county, hereby certify that the attached notice has been published in said paper for 30 days prior to this date. This the 2nd day of July, 1907.
 Geo. W. Adkins, Publisher.

Sworn to and subscribed before me, this 2nd day of July, 1907.
 John S. Curtis,
 Judge of Probate.

H. 1092. For the relief of J. W. Angle.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
 Butler County. }

Before me, L. E. Mallett, a notary public in and for said county and State, personally came J. B. Stanley, who is known to me, and who, being first by me duly and legally sworn, doth depose and say as follows, to-wit: That he is the editor and published of The Greenville Advocate, a weekly newspaper published at Greenville in said county and State; that the notice, a copy of which is hereafter set out, was published in said newspaper for four consecutive weeks, beginning with the 12th day of June, 1907.
 J. B. Stanley.

NOTICE.

Notice is hereby given that a bill will be introduced in the Legislature of Alabama at the 1907 session thereof for the relief of J. W. Angle & Co., the substance of which will be to make an appropriation which will provide for the payment to said J. W. Angle & Co. the sum of \$206.25 out of the funds in the State and county treasuries not otherwise appropriated, being one-half of the State and county license for the year 1907 taken out and paid for by said J. W. Angle & Co. as a retail liquor

dealer for the year 1907 at Greenville, Butler county, Alabama. This the 10th day of June, 1907.

J. W. Angle & Co.

By J. W. Angle.

Sworn to and subscribed before me on this 9th day of
~~July, 1907.~~

L. E. Mallett,

~~Notary Public.~~

H. 1168. To amend sections 6 and 7 of an act entitled "An act to establish the Morgan county law and equity court; to create and define its jurisdiction; provide its officers, their powers, duties, and compensation; to fix the terms of said court; and to prescribe rules and procedure for said court," approved February 23rd, 1907.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
 Morgan County. }

Before me, J. C. Hogan, a justice of the peace in and for said county in said State, this day personally came J. A. West, known to me to be the editor and manager of the Hartselle Enquirer, a weekly newspaper published in Hartselle, Morgan county, Alabama, who, being by me duly sworn, deposes and says: That he is editor and manager of the Hartselle Enquirer, a weekly newspaper published in Hartselle, Morgan county, Alabama, and that a notice was published, without cost to the State of Alabama, once a week for four consecutive weeks in said newspaper before the making of this affidavit, which notice was in words and figures as follows, to-wit:

NOTICE.

Notice is hereby given that a bill will be introduced at the adjourned session of the present Legislature, which convenes July 9th, 1907, to amend section 6 and 7 of an act entitled an act to establish the Morgan county law and equity court, to create and define its juris-

diction; provide its officers, their powers, duties and compensation; to fix the terms of said court; to prescribe rules and procedure for said court, approved February 25th, 1907, so as to provide:

1st. For the holding of two sessions of the spring term and two of the fall term of the Morgan county law and equity court at Hartselle, Alabama, at a place to be prepared, furnished and designated by the commissioners' court of said county.

2nd. Authorize and provide for the trial of all cases against or between parties, one of whom resides in that part of said county lying east, south east and south of Flint creek and West Flint creek, Flint creek up to the mouth of West Flint creek and West Flint creek to Lawrence county, being the dividing line.

3rd. For summoning juries for said courts, the docketing and trying of said causes and prescribe the duties of the judge and clerk with reference thereto.

(Signed) Jno. R. Sample.

That said notice was published in said paper in the issues of June 20th, 27th, July 4th, and 11th, 1907.

J. A. West.

Subscribed and sworn to before me this 12th day of July, 1907.

J. C. Hogan,
Justice of the Peace

H. 786. To authorize the town of Brocton in Coffee county, Alabama, to buy and sell spirituous, vinous and malt liquors, and to regulate the sale thereof.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE OF LEGISLATION.

Notice is hereby given that at the next session of the legislature of Ala., a bill will be introduced for enactment into a law, which law when passed will be in words and figures, substantially.

"AN ACT, ETC."

A bill to be entitled: An act to authorized the town of Brocton in Coffee county, Alabama, to buy and sell spirituous, vinous and malt liquors, and to regulate the sale thereof."

Section 1. Be it enacted by the Legislature of Ala., that the town of Brocton, in Coffee county, Ala., shall have authority to conduct and carry on in its corporate name, in its corporate capacity, and in the manner herein provided, the business of buying and selling spirituous, vinous, and malt liquors.

The place at which said business is carried on shall be called a dispensary. Said municipality shall invest in said business a sum of money not less than three hundred dollars and not more than twenty-five hundred dollars. The liquors bought and sold as herein provided, shall be of the purest and best quality.

Section 2. The office of dispenser, for said dispensary, is hereby created, who shall be elected within three months after the approval of this act by board of commissioners hereinafter created. Said dispenser shall be a resident householder and freeholder of said municipality and possess the qualifications of an elector under the general laws. The first dispenser to be elected for said office shall hold said office for a period of one year from the time of his election, and the terms of his successors shall be two years. Each dispenser shall hold office until his successor is elected and qualified.

Section 3. That the affairs and business of said dispensary shall be managed, controlled and conducted by a board of three commissioners, they shall each be resident citizens, and householders and free holders of said municipality, and who shall possess the character and qualifications of electors under the general laws. That W. D. Dawkins, David Harper, and J. M. Johnson be, and they are hereby constituted said board of commissioners; that the term of said W. D. Dawkins shall expire on the 1st day of January, 1911; the term of said David Harper shall expire on the 1st day of January,

1909, and the term of said J. M. Johnson shall expire on the 1st day of January, 1910, and the successors of said commissioners whose terms have so expired shall be elected by the board of mayor and councilmen of said municipality at their last regular meetings of each year; and each of said commissioners to be so elected shall hold office for a term of three years from the commencement of his term.

All vacancies occurring in said board of commissioners shall be filled by an election of the board of mayor and councilmen of said town at their next regular meeting after said vacancy shall occur, and such commissioners so elected shall perform the duties of commissioner for the unexpired portion of the term so filled. Said board of commissioners shall elect from their number at their first meeting in each year, a president, a secretary, and a treasurer for said board of commissioners and shall require good and sufficient bonds from such secretary and treasurer, and cause the said bond to be approved by the mayor and councilmen of the town of Brockton and each of said commissioners before entering upon the duties of his office shall take and subscribe an oath that he will faithfully discharge all of the duties imposed upon him by this act.

Section 4. That the money invested by said municipality in said business shall be turned over to said board of commissioners, who shall execute a receipt for the same, and who shall use the same solely for the purpose of purchasing a stock for said dispensary.

Section 5. That the dispenser elected under the second section of this act shall besides having the qualifications prescribed therein be a man of moral character and sober habits, and he shall have charge and control of said dispensary under the supervisions of said commissioners. Said board may remove said dispenser, and it shall be their duty to do so, for the violation of any laws governing or applying to said dispensary, or any ordinance of said town of Enterprise regulating the same, not inconsistent with this act, or for any neglect of duty, and upon such removal said board shall fill the

unexpired portion of his term by the election of another person as dispenser.

Said dispenser shall be required to take and subscribe an oath that he will faithfully and honestly discharge all duties required of him by this act, and he shall also be required to give bond with good and sufficient sureties, to be approved by said commissioners, in such sum ~~as said board may determine, to be not less than one~~ thousand dollars, conditioned to faithfully account for all goods and moneys that may come into his hand as such dispenser, and for the faithful performance of all duties required of him by this act, and by such rules and regulations as the said commissioners may adopt. Said dispenser shall receive such salary as said commissioners may fix, not to exceed eight hundred dollars, and his compensation shall not be dependent upon the amount of sales.

Section 6. Said board of commissioners shall at all times keep a stock of spirituous, vinous, or malt liquors, wines, beer, ciders and other intoxicating liquors in such quantities as they may deem proper. They shall be sold only for cash in quantities not to exceed four gallons and not less than one-half pint, and the dispenser shall turn over all moneys received by him on account of such sales to the secretary and treasurer of said board of commissioners at the end of each day, and take his receipt for the same.

Section 7. That all accounts due by said dispenser for the maintenance and operation of the same shall be paid by the treasurer upon such demand being presented to the secretary and treasurer, and approved by a majority of said commissioners. The purchase of all stock for said dispensary shall be made by said commissioners, a majority of whom shall be required to concur in such purchase. That all purchases shall be made for cash.

Section 8. ~~That said board of commissioners shall~~ make from time to time rules and regulations for the operation of said dispensary not in conflict with the provisions of this and the laws of the State of Alabama, and said commissioners and dispenser shall at all times

in the management and conduct of said dispensary conform to the laws of the State of Alabama regulating the sale of spirituous, vinous and malt liquors, and the said dispenser shall conform to the regulations that said board of commissioners may enact for the control, management and conduct of said dispensary, which are not in conflict with the laws of this State.

Section 9. That no spirituous, vinous or malt liquors shall be drank in the building or on the premises where said dispensary is located.

Section 10. That said dispensary shall not be opened on any day before six o'clock and shall be closed on each day by six o'clock in the evening, and it shall not be opened on Sundays and election days, and on such other days as the commissioners or a majority of them shall direct the same to stand closed.

Section 11. That the dispenser shall not sell to any person or persons any spirituous, vinous or malt liquors, wines, ciders, beer, or other intoxicating liquor, except in sealed packages and the said dispensary shall not keep any broken packages in said dispensary and whenever a package is broken it shall be at once bottled and sealed and sold by the dispenser in such sealed condition.

Section 12. That said dispenser shall make a monthly report to said board of commissioners showing the exact financial condition of said dispensary, and the said board of commissioners shall at any time when they see proper make an investigation of the correctness of said report and check up the balance of matters pertaining to said dispensary.

Section 13. That the dispenser shall not allow, and it is hereby made unlawful, for any person or persons to loiter in or about said dispensary or on the premises where the same is situated, and for failure enforce this section said dispenser shall be removed from office.

Section 14. That the mayor and town council of the town of Brockton shall have power and authority to pass all ordinances to carry out the provisions of this act, and to provide suitable penalties for the violations of this act.

Section 15. That the board of commissioners of said dispensary shall appropriate 20 per cent of the net profit of said dispensary to the public schools of the county of Coffee, said 20 per cent to be applied to the use and support of those schools embraced in the public school districts outside of those of the towns of Elba, Enterprise and Brockton, and the same shall be applied to said schools in the same proportion as the public school funds derived. ~~Said 20 per cent shall be paid to the persons entitled to receive the same as provided by law.~~

That the remainder of said net proceeds of said dispensary shall be paid into the treasury of said town and be and become a part of the general funds of said town of Enterprise.

That said sums shall be so appropriated and paid as aforesaid quarterly or four times a year.

Section 16. That said board of commissioners shall at the end of each quarter, and at the same time when they make said appropriations and pay said money as directed by the preceding section, make and file with the mayor and council of said municipality a full and complete report of all purchases, receipts, expenditures, disbursements preceding three months, so that a fair account of the business of said dispensary for said time, and the present condition of the business may be shown thereby. Said report shall be published in a newspaper for at least one week upon the filing of the same.

Section 17. That the mayor and council are authorized and empowered to pass ordinances for the enforcement of the provisions of the last preceding section, with penalties for its violation.

Section 18. That the commissioners provided for in this act shall receive each a salary of \$25.00 per annum, and the secretary and treasurer shall be paid \$25.00 per annum additional. Said salaries to be paid out of the net proceeds of said dispensary.

Section 19. That on and after the passage of this act the city council of the town of Brockton and other officers of said town are hereby prohibited from issuing, granting or renewing any license for the sale of spirit-

uous, vinous, or malt liquors within the incorporate limits of said town.

Section 20. That for any breach of either of the bonds to be executed under the provisions of this act suit may be instituted thereon in the name of the town of Brockton for the use of said town and the persons entitled to receive that portion of the net proceeds to be used for school purposes, and the recovery therein shall be paid according to the interests of said town and persons therein.

Section 21. That the commissioners or either of them may be impeached by the mayor and council, upon at least five days' notice, with specifications in writing of the charges preferred, for any malfeasance, willful misconduct or neglect of duty, or for the violation of any law or ordinance regulating or pertaining to said dispensary, but the right of appeal shall be had in favor of either of the parties to the circuit court to be taken as provided for appeals from the justice courts in civil cases.

Section 22. That no spirituous, vinous, and malt liquors, wines, ciders, beers or other intoxicating drinks of any kind shall be sold within the incorporate limits of said town except as herein provided.

Section 23. That all laws and parts of laws in conflict with this act or any part hereof be and the same are hereby repealed.

H. 1009. To authorize the county of Russell to borrow money not exceeding the current revenue of said county for any one year, in the discretion of the court of county commissioners of said county.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
 Russell County. }

Before me, R. H. Holland, register in chancery, in and for said county, personally appeared W. H. Chadwick, who, being duly and legally sworn, deposes and says that he is one of the editors and proprietors of the

Russell Register, a newspaper published in Russell county, Alabama, and which is published weekly, that the notice, a copy of which is hereto attached, was inserted in and published in said Russell Register once a week for four consecutive weeks since the fifteenth day of February, 1907, and prior to this date.

W. H. Chadwick.

Sworn to and subscribed to before me on this the 6th day of July, 1907.

R. H. Holland,
Register in Chancery.

NOTICE.

To whom it may concern:

Notice is hereby given that at the present session of the Legislature of Alabama a bill will be introduced, the substance of which will be to authorize the county of Russell to borrow money, not exceeding the current revenue of said county per annum, in the discretion of the court of county commissioners of said county. Also, at the next session of the Legislature of Alabama, will be introduced a bill to ratify and confirm the prior acts of the court of county commissioners, or other authorized agents of the county in borrowing money and to confirm and ratify the warrants given for money so borrowed.

H. T. Benton,
Probate Judge.

H. 1112. To provide for the better construction, repairing, working, and maintaining the public roads and bridges in Franklin county, Alabama.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that a bill will be introduced at the next session of the Legislature entitled: A bill to be entitled an act to provide for the better construction, repairing, working and maintaining the public roads and bridges of Franklin county.

The State of Alabama, }
 Franklin County. }

Before me, B. H. Sargent, notary public in and for said State and county, came J. C. Norwood, editor of the Franklin Times, a weekly newspaper published at Russellville in the said State and county, who being duly sworn, deposes and says that notice attached hereto was published in his said newspaper for four successive issues prior to making of this affidavit.

J. C. Norwood.

Sworn to and subscribed before me this the 11th day of July, 1907.

B. H. Sargent.
 Notary Public.

My term of office expires on the 7th day of April, 1909.

B. H. Sargent,
 Notary Public.

H. 1270. To require the tax assessor of Montgomery county to make annually a lot book showing in abstract form, all subdivisions which have been or which may be hereafter made of all property in Montgomery county, and the name of the person, firm, or corporation to whom each lot or subdivision is assessed for the current year; and to provide compensation therefor.

And sends the same to the Senate, with notice and proof attached and herewith exhibitd as follows:

Montgomery County. }
 State of Alabama, }

I, Horace Hood, editor of The Montgomery Journal, a daily newspaper published in the city of Montgomery, Alabama, do hereby certify that the notice hereunto attached, has been published in said newspaper for four consecutive weeks, beginning with issue of June 19, 1907.

Horace Hood.

Sworn to and subscribed to before me, W. R. McDade, a notary public, this the 15th day of July, 1907.

W. R. McDade, N. P.

NOTICE.

Notice is hereby given that a bill will be introduced in the Legislature of Alabama at the adjourned session to be held in July,

To require the tax assessor of Montgomery county to make annually a lot book, showing in abstract form, all ~~legal subdivisions which have been or which may here-~~ after be made of all property in Montgomery county, and the name of the person, firm or corporation to whom each lot or subdivision is assessed for the current year; and to provide compensation therefor.
6-18-25—July 2-9th.

H. 979. To fix and provide for the salary of the judge of the Thirteenth judicial circuit of Alabama.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that application will be made at the present Legislature of Alabama, which will meet in July, 1907, for the passage of an act substantially as follows:

A BILL

To be entitled an act to fix and provide for the salary of the judge of the Thirteenth judicial circuit of Alabama.

Section 1. Be it enacted by the Legislature of Alabama, That the salary of the judge of the Thirteenth judicial circuit of Alabama be, and it is hereby, fixed at the sum of four thousand dollars per annum and that he shall be paid out of the State treasury the same sum as is now or shall hereafter be authorized by law to be paid to other circuit judges out of the State treasury, and such sum out of the treasury of Mobile county, Alabama, as will when added to the amount paid out of the State treasury equal to the salary of said judge as fixed by this act.

5:16-23-30—6:6.

Samuel B. Browne.

The State of Alabama, }
 Mobile County. }

Before me, Charles L. Bromberg, a notary public in and for said State and county, personally appeared Thomas B. Allman, who is known to me, and who, after being first duly sworn on oath, says that he is the cashier of "The Daily Herald," a newspaper regularly published in Mobile, Mobile county, Alabama.

Affiant further says, that the foregoing notice hereto attached and hereby referred to as a part of this affidavit, was published in "The Daily Herald" once a week for four (4) consecutive weeks in the issue of said newspaper published on the following dates, viz.: May 16th, May 23, May 30th and June 6th, 1907.

Thomas B. Allman.

Sworn to and subscribed before me this 5th day of July, A. D., 1907. Chas. L. Bromberg,
 Notary Public, Mobile County, Alabama.

H. 1184. To amend an act entitled an act to prevent the running at large of stock in certain portions of Elmore county, approved February 18th, 1891.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

I, H. H. Golson, publisher and general manager of the Weekly Herald, a newspaper published in the city of Wetumpka, county of Elmore and State of Alabama, hereby certify that the notice attached hereunto was published in said paper for four consecutive weeks before the making of this affidavit. H. H. Golson.

Sworn to and subscribed before me this the 3rd day of July, 1907. H. T. Anderson,

N. P. Ex-off. J. P. Beat 17.

NOTICE

Is hereby given that a bill will be introduced in the Legislature of Alabama, adjourned or July session, 1907, to amend section of an act entitled an act to pre-

vent the running at large of stock in certain precincts of Elmore county, approved Feb. 18, 1891, so as to embrace within the provisions of said act in addition to the territory now embraced all of that territory lying north of the south bank of little Mortor and big Mortor creeks in beat ten and beat seventeen.

H. 1269. ~~For the relief of Mrs. Catherine Morrison.~~
And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Montgomery County. }

I, F. H. Miller, manager of the Montgomery Journal, a daily newspaper published in the city of Montgomery, State of Alabama, do hereby certify that the notice herein attached for the relief of Mrs. Catherine Morrison has been published in said newspaper for three consecutive weeks, beginning with the issue of February 11th, 1907, to-wit: February 11th, February 18th and February 25th, 1907.

F. H. Miller.

Sworn to and subscribed to before me this 16th July, 1907.

Ruth Beale,
Notary Public.

NOTICE.

Notice is hereby given that the Legislature of Alabama, which convened on January 8th, 1907, will be asked to enact a law for the relief of Mrs. Catherine Morrison, widow of the Rev. R. C. Morrison, deceased. The relief sought being to have the name of said Mrs. Catherine Morrison placed upon the pension roll of confederate veterans and their widows and orphans of Alabama, for the years 1905, 1906 and 1907, or any one of said years, in order that she may draw a pension from the State of Alabama, as provided for under the law of Alabama for widows and confederate veterans. R. T. Goodwyn.
oaw-3wks-Feb.11.

H. 980. To fix and provide for the salary of the chancellor of the Southwestern chancery divisions of the State of Alabama.

And sends the same to the Senate with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that application will be made at the present Legislature of Alabama, which will meet in July, 1907, for the passage of an act substantially as follows:

A BILL

To be entitled an act to fix and provide for the salary of the chancellor of the Southwestern chancery division of the State of Alabama.

Section 1. Be it enacted by the Legislature of Alabama, That the salary of the chancellor of the Southwestern chancery division of the State of Alabama, be, and it is hereby, fixed at the sum of four thousand dollars per annum, and that he shall be paid out of the State treasury the same sum as is now or shall hereafter be authorized by law to be paid to other chancellors out of the State treasury, and such sum out of the treasury of Mobile county, Alabama, as will when added to the amount paid out of the State treasury equal to the salary of said chancellor as fixed by this act.

5:16-23-30—6:6.

Thomas H. Smith.

The State of Alabama, }
Mobile County. }

Before me, Charles L. Bromberg, a notary public in and for said State and county, personally appeared Thomas B. Allman, who is known to me, and who, after being by me first duly sworn on oath, says that he is the cashier of "The Daily Herald," a newspaper regularly published in Mobile, Mobile county, Alabama.

Affiant further says, that the foregoing notice hereto attached and hereby referred to as a part of this affidavit, was published in "The Daily Herald" once a

week for four (4) consecutive weeks in the issues of said newspaper published on the following dates, viz.: May 16th, May 23rd, May 30th and June 6th, 1907.

Thomas B. Allman.

Sworn to and subscribed before me this 5th day of July, A. D., 1907.

Chas. L. Bromberg,

Notary Public, Mobile County, Alabama.

H. 913. For the maintenance, improvement, and protection of the public roads and bridges of Cullman county, Alabama, and to provide for a special road tax therefor; also, for the purchase of implements, teams and other things necessary in the construction and improvement of the same; to pay for the same either out of the general fund for the county or the special road and bridge fund; to provide for the appointment of the commissioners' court of said county, of a road superintendent or superintendents and surveyor or surveyors, fixing their pay, defining their duties, and conferring special powers on the commissioners' court of said county; providing for the method of employing hands and how certain parties may be required to take out a license for the use of said public roads; providing the method of appointing apportioners and overseers and defining their duties, and how they can be excused from serving as such; defining the road year and those liable to road duty, the time they may be required to work; describing the manner in which they may pay in lieu of work to the tax collector of said county, and his duty as to same, and the method of warning hands, and defining those who are exempt from road duty.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

LEGAL NOTICE.

Notice is hereby given that application will be made at the reconvening of the Legislature of Alabama in July, 1907, to pass the following bill, viz.:

A BILL

To be entitled an act for the maintenance, improvement and protection of the public roads and bridges of Cullman county, Alabama, and to provide for a special road tax therefor; also for the purchase of implements, teams and other things necessary in construction and improvement of the same; to pay for the same either out of the general fund for the county or the special road and bridge fund; to provide for the appointment by the commissioners' court of said county of a road superintendent or superintendents and surveyor or surveyors, fixing their pay, defining their duties, and conferring special powers on the commissioners' court of said county; providing for the method of employing hands and how certain parties may be required to take out a license for the use of said public roads; providing the method of appointing apportioners and overseers and defining their duties, and how they can be excused from serving as such; defining the road year and those liable to road duty, the time they may be required to work; prescribing the manner in which they may pay in lieu of work to the tax collector of said county, and his duty as to same, and the method of warning hands, and defining those who are exempt from road duty.

Be it enacted by the Legislature of Alabama:

Section 1. That this act and the general laws of the State not in conflict with this act shall constitute the law for Cullman county on the subject of public roads and bridges.

Sec. 2. That it shall be the duty of the court of county commissioners of Cullman county, Alabama, to purchase or hire all such horses, mules, live stock, teams, harness, machines, wagons, carts, scrapes, plows, tools, tents, implements, materials and other paraphernalia or things as may be necessary in the construction, working or maintenance or repair of the public roads and bridges

in Cullman county, Alabama, and said court is hereby authorized to appropriate out of the general funds in the county treasury from time to time such amount or amounts as the said court may determine as will not interfere with defraying the necessary and general expenses of the county for the purpose of paying for the ~~same and also for the erection, equipping, maintenance and repair of said public roads and bridges of said county,~~ and for the payment of all just claims against the said county for said purpose. And the said court may make such provision for the care of all live stock and other property belonging to the county used in the working of its roads as it deems best. And said court may from time to time sell any property purchased or used in and about the working of said public roads, and said court shall have the right and authority to employ such hands as may be required or deemed necessary in the working, maintaining and building and repairing of the roads and bridges of the said county.

Sec. 3. The court of county commissioners shall, as soon as practicable after the passage of this act, appoint one or more superintendents of public roads and bridges in said county, who shall have the control and supervision of all the public roads and bridges of such district so set apart to him by the said court of county commissioners as to manner of working and repairing and maintaining the same, under the direction, control and supervision of the said court of county commissioners, and who shall hold office for a term of one year.

Sec. 4. That the said superintendents shall, before entering upon the duties of said office, qualify by taking and filing the statutory oath of office and giving bond for the faithful performance of the duties of the said office, payable to Cullman county, Alabama, in the sum of two thousand dollars, with sureties thereon to be approved by the probate judge of said county, and which oath and bond shall be recorded as other official bonds are required to be recorded in the office of the judge of probate of said county.

Sec. 5. That the said superintendents shall receive a salary not to exceed one thousand dollars each per an-

num, to be determined by said court of county commissioners, before he enters upon the duties of said office to be paid him monthly, by a warrant to be drawn by the judge of probate of said county, upon the special road and bridge fund in the county treasury. Said superintendent or superintendents may be removed from office at any time whenever in the opinion of the court of county commissioners it is best to do so, and at which time his salary shall cease. That if the office of superintendent shall become vacant by death, resignation, removal or otherwise, the commissioners' court at the next regular term or called meeting thereafter shall appoint a suitable person to fill the unexpired term.

Sec. 6. That the duties of the said superintendent or superintendents of public roads and bridges in said county shall be:

(1) To have control and supervision of the overseers and public roads of said county and direct the manner of working said roads, subject only to such rules and directions as may have been previously made and given him by the said court of county commissioners of said county.

(2) To remove any overseer who shall fail or refuse to perform his duties or comply with any reasonable order or direction of said superintendent or said court of county commissioners, and to appoint another in his place, and to fill vacancies in the office of overseer.

(3) To work and improve the roads of Cullman county as he may directed to do by the court of county commissioners before beginning work on any road in any locality in the county. If deemed necessary by the superintendent he shall give the overseer of said road five days' notice of his intention to begin work, whereupon the overseer of said road shall call out for road duty all persons subject to road duty on said road, and said overseer and road hands shall meet the superintendent at the place designated in the notice given by the superintendent to said overseer. The overseer shall see that each hand apportioned to a public road or liable to work thereon has had the notice required by law, and that all persons liable to road duty perform their equal

share of service, and in the event any person who has been warned to work on a public road has a sufficient excuse for not working at the appointed time the superintendent or overseer shall see that each person perform his equal share of road service at other times and places. He shall also, in conjunction with the overseer, make a memorandum of all defaulters and see that the overseer ~~and persons liable to road duty~~ perform all the duties required of them by law, and especially report to the court of county commissioners and the grand jury of said county at the next term thereof the names of all overseers who fail to comply with the law requiring them to prosecute defaulting road hands.

(4) To contract for building or repairing small bridges, culverts and causeways, with the permission and consent of the commissioners' court and contract for such timber and materials as may be necessary for the building or repairing of said small bridges, culverts and causeways, and contract for the erection of mile posts and sign posts.

(5) To dismiss from service on the road any hand, whether working for himself or as a substitute, who shall fail or refuse to do good and sufficient work, or who may be intoxicated, or who shall use any vulgar, profane or obscene language, after having been requested by the superintendent or overseer not to do so, or who shall refuse to obey any reasonable order of the overseer or superintendent, and have such person proceeded against as though he had failed to obey the notice to work or had failed or refused to work on said road.

(6) To take good care of teams, live stock, tools and implements turned over to him by the court of county commissioners or which have come to his charge or custody in any manner, to use the same only on the public roads of the county, and at the expiration of his term of service or on his removal from office he shall deliver the ~~same to the probate judge of Callman county~~ or to his successor in office.

(7) To make reports under oath to the court of county commissioners at the regular terms in February, May, August and November in each year, showing

the time each laborer has worked under him, together with any other reports as may be required of him by the court of county commissioners.

(8) To make monthly reports, under oath, to the judge of probate of said county, stating the names of the pay laborers he has had in his said employ and the time they have so worked, together with the amount of the pay of each set opposite their respective names, to which they are entitled for labor performed under him, and the judge of probate shall immediately draw a warrant on the treasurer of said county in favor of each of said laborers for the amount which is due him, if the said sum is such as has been heretofore authorized by the commissioners' court of said county.

Sec. 7. The court of county commissioners of Cullman county shall have the power at any time after the passage of this act as follows:

(1) To employ a competent surveyor or civil engineer for the use of the public roads and bridges of said county and to fix a reasonable compensation for his services.

(2) To require persons operating saw mills in the county when logs or lumber or any portion thereof is hauled over the public roads of the county, or any specific portion thereof, to first secure a license from the probate judge of said county, and to prescribe the price to be paid for the same.

(3) To require persons hauling logs, lumber or other timber or cross-ties of whatever description over the public roads of said county, or any portion thereof, to secure a license from the judge of probate, and to prescribe a price to be paid for such license on each wagon or dray so engaged. All money collected under this and the preceding sections shall go into the special road and bridge fund of the said county. The probate judge is entitled to twenty-five cents for issuing each license, to be paid by the party applying for the same.

(4) To enter up any order or decree that said court may deem wise and proper for the benefit of the public roads and bridges of Cullman county not inconsistent with the general laws of the State of Alabama and not inconsistent with this act.

(5) Any person who violates any order or decree made by the court of county commissioners of said county under the provisions of this act shall be guilty of a misdemeanor, and on conviction must be fined not less than ten dollars nor more than one hundred dollars, to be paid in money and to go into the road and bridge fund of the said county.

~~(6) Said court shall employ or authorize the superintendent or superintendents to employ such laborers in any manner as in its or his judgment shall seem best, and which said laborers shall be under the direct supervision and control of said superintendents.~~

Sec. 8. The superintendent of said hired laborers shall actually work said laborers not less than eight hours each day. And superintendent failing, without sufficient cause or good excuse, to work said laborers at least eight full hours in each day, as above provided, shall be removed from office and shall forfeit his salary for the month or months in which such failure or failures occur. But nothing herein contained shall be so construed as to require persons who work the road in response to the summons given by overseers to work, to work at other different hours than those now fixed and provided for by the general laws of this State.

Sec. 9. Said apportioners and overseers are to be appointed, have authority, and their duties shall be such as are set out in the general road law for the State of Alabama, save and except the same conflict with this act, and in that event this act is to control.

Sec. 10. Any person appointed superintendent, apportioner or overseer may send in his excuse for not accepting, and after accepting may resign to the judge of probate of said county. Such excuse or resignation must be in writing, and the excuse for not serving or the reason for resigning must be stated therein and sworn to. The judge of probate shall pass upon such ~~excuse or resignation, and may accept or reject the same.~~

Sec. 11. The mode of warning hands is for the overseer, or some one appointed by him, to give two days' notice, in person or in writing, to be left at the place of residence, to all persons liable to road duty to meet

at such time and place as the overseer may appoint, and with such tools as he may direct.

Sec. 12. The current road year shall begin on the first day of January, 1907, and shall end on the thirty-first day of December, 1907, and thereafter the road year shall begin on the first day of January and end on the thirty-first day of December succeeding .

Sec. 13. No person or hand in Cullman county shall be liable or required to work any public road more than eight days in any one year, not counting the days engaged in opening new roads.

Sec. 14. All persons residing in Cullman county not herein exempted shall be liable to work on the public roads of said county for eight days for each road year, not counting the days engaged in opening new roads. The following named persons only are exempt from road duty: All persons who reside in municipal corporations and are liable to street or road duty therein; all females, guards and persons having control of convicts, all male persons under eighteen years of age and over forty-five years of age; all maimed and disabled persons, who shall procure a certificate of such disability from the commissioner's court of said county.

Sec. 15. Any person who may be liable to road duty under the provisions of this act may discharge such liability by paying the sum of five dollars to the Tax collector of Cullman county on or before the first day of January of each year preceding the road year for which he would be liable for road duty. Said tax collector shall issue to him on blanks furnished by the court of county commissioners of said county a receipt, giving his full name, the precinct in which he resides and the year for which he has so paid.

Sec. 16. During the month of January in each year the tax collector of said county shall file an alphabetical list, according to precincts, of the persons paying him the said amount of five dollars in lieu of work in the office of the judge of probate of said county, and shall mail a copy of said lists to the road superintendent or superintendents of said Cullman county, giving the names in full of the persons so paying, together

with the total amount received under the provisions of this act. Said superintendent or superintendents shall likewise give notice to the overseers within the county or his district of the names in full of each person so paying within the road precinct of each overseer within ten days after the receipt of said list from said tax collector. The tax collector shall receive for his services ~~under this act such sum as the comissioners' court may fix, not to exceed three per cent of the amount collected thereunder.~~ Said tax collector shall pay in monthly into the county treasury all moneys received by him under this act, and notify the judge of probate of the amount so paid, and said amounts shall go into the road and bridge fund of said county.

Sec. 17. The court of county commissioners of Cullman county be and they are hereby authorized and empowered to levy a special tax of not exceeding one-fourth of one per cent per annum on all taxable property within said county for the purpose of paying for the building, erection, maintenance and repair of the public roads and bridges of said county, which said special tax shall be levied and collected as other State and county taxes are levied and collected, but the funds arising from the same shall be kept separate from all other funds, and shall only be used for the purpose for which the same was levied and collected. Said fund is to be known as the special road and bridge fund of Cullman county.

Sec. 18. It shall be unlawful for any person to drag any logs or timber of any description along or across any public road in Cullman county, or to bunch such timber on or along such road so as to injure the same by the reloading or removing such timber or to place any timber, lumber or other obstruction in any culvert or ditch along said road so as to cause the same to fill up to any extent or so as to obstruct the free passage of water ~~along or through the same.~~ Any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and on conviction shall be fined not less than ten dollars or more than one hundred dollars,

and said fine to be paid in money and to go into the special road and bridge fund for the county.

Sec. 19. Any firm, person or corporation engaged in the business of, or hauling lumber, timber, cross-ties or other heavy loads or running machinery over the public roads of Cullman county, who shall damage, break or destroy any bridge or culvert on the roads of said county shall, upon being notified either in person or by written notice given by the overseer of said road, or the superintendent of said road, and who shall within five days after such notice fail or refuse to repair the bridge or culvert so damaged, broken or destroyed shall be guilty of a misdemeanor, and on conviction shall be fined not less than ten dollars nor more than one hundred dollars, and said fine shall be paid into the special road and bridge fund of the county in money.

Sec. 20. The court of county commissioners shall keep printed copies of this act in the office of the judge of probate of said county, and said judge of probate shall distribute the same to apportioners and road overseers in the county and to such taxpayers therein who shall apply for the same.

Sec. 21. That all laws, local, special or private and general, in conflict with this act be and the same are hereby repealed.

Sec. 22. That it shall be the duty of the circuit judge to give this act in charge to the grand jury at each term of the circuit court of said county.

Dated at Cullman, Alabama, March 29, 1907.

J. E. Edwards,
A. B. Brindley,
And others.

The State of Alabama, }
Cullman County. }

Before me, M. L. Robertson, a notary public, in and for the said county and State, personally appeared J. R. Rosson, who being first duly sworn says that he is the editor and publisher of the Cullman Democrat, a weekly newspaper published in Cullman, Cullman county, Alabama, and that the notice, of which a true copy is here-

to attached, was published in said newspaper, once a week for four consecutive weeks, and being in the issues of said newspaper of the following dates, viz.: April 4th, April 11th, April 18th, and April 25th, 1907.

J. R. Rosson,
Editor and Publisher.

~~Sworn to and subscribed before me this 29th day of~~
April, 1907.

M. L. Robertson,
Notary Public.

H. 1267. To provide for the payment by the court of county commissioners of Bullock county, Alabama, out of the county treasury for removal fees, mileage and per diem for the removal of persons charged with misdemeanor.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Bullock County. }

Before me, J. T. Norman, a N. P. ex-off. J. P. in and for the county and State aforesaid, personally appeared P. F. Miles, who, being by me first duly sworn, deposes and says, that he is the editor of the Union Springs Herald, and that the attached notice as it appears was published in said paper once a week for the four successive weeks, immediately preceding July 9th, 1907.

P. F. Miles.

Sworn to and subscribed before me on this the 12th day of July, 1907.

J. T. Norman,
N. P. ex-off. J. P.

NOTICE.

Notice is hereby given that at the adjourned session of the Legislature of Alabama, which convenes on, to-wit, July the 9th, 1907, application will be made to have enacted for Bullock county the following laws, to-wit:

An act to provide that the sheriff of Bullock county, Alabama, shall receive for "impaneling grand juries, ad-

vertising and attending all elections in his county, and for all other public service otherwise provided for, such sum as may be allowed by the court of county commissioners, to be paid out of the county treasury, not exceeding five hundred (\$500.00) dollars per annum."

Second—An act to allow the sheriff of Bullock county for fees for attendance upon the trial of any habeas corpus case before any judge or court the sum of \$2.00 per day.

An act to provide for the payment by the court of county commissioners out of the county treasury for the removal of persons charged with misdemeanors the same fees, mileage and per diem as are now provided by law for the removal of persons charged with felonies.

H. 1213. To amend section five of an act approved February 22nd, 1907, entitled "An act to prohibit the sale, barter, exchange, giving away, lending, delivering or otherwise disposing of spirituous, malt liquors, intoxicating beverages, bitters or proprietary medicines in Lamar county, Alabama, and to prohibit the shipping into said county by any common carrier, and the bringing into said county by any person for the use of any other person than himself, any such spirituous, vinous or malt liquors, intoxicating beverages or intoxicating bitters, or intoxicating proprietary medicines from any place within this State, and to prohibit the procuring for another or the taking or soliciting or receiving of orders for spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters, or intoxicating proprietary medicines, in said county, and to prohibit the giving of orders for spirituous, vinous or malt liquors, intoxicating beverages or intoxicating proprietary medicines in said county, and to prohibit the giving of orders for spirituous, vinous or malt liquors, intoxicating beverages, or intoxicating bitters, or intoxicating proprietary medicines by any person in said county over any telegraph or telephone line, and to prohibit the receiving or sending by any telephone or telegraph company in said county of any order for spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bit-

ters or intoxicating proprietary medicines to any point within this State, and to provide penalties for all such prohibited acts, and to repeal all laws in conflict herewith.

NOTICE OF PROPOSED LEGISLATION.

~~Notice is hereby given that there will be introduced~~ and offered for passage at the present session of the Legislature, which will reconvene on July 9th, 1907, an amendment to the local prohibition law passed by the Legislature at its present session and applicable to Lamar county, as follows:

The section of said act which reads as follows: "Be it further enacted that any person violating any provisions of this act shall be deemed guilty of a misdemeanor, and upon a conviction thereof, shall be imprisoned in the county jail, or sentenced to hard labor for the county for not less than three months, nor more than twelve months, and shall pay a fine of not less than fifty, nor more than five hundred dollars," be amended so as to read as follows: "Be it further enacted, that any person who shall, in violation of this act, sell, barter or exchange any spirituous, vinous, or malt liquors or intoxicating beverages shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be imprisoned in the county jail, or sentenced to hard labor for the county for not less than three months nor more than twelve months, and shall also pay a fine of not less than fifty nor more than five hundred dollars, and that any person violating any of the other provisions of the same shall be deemed guilty of a misdemeanor and upon conviction, shall pay a fine of not less than fifty nor more than five hundred dollars, and may also be sentenced at hard labor for not less than two months, nor more than twelve months.

The State of Alabama, }
Lamar County. }

Before me, R. L. Bradley, judge of the probate court in and for said county, personally appeared C. S. Mc-

Dougal, who, being duly sworn, deposes and says that he is the editor and proprietor of the Lamar Democrat, a newspaper published in Lamar county, Alabama, and that said notice was duly published for four consecutive weeks in the Lamar Democrat prior to the date of making this affidavit.

C. S. McDougal.

Subscribed and sworn to before me this the 9th day of July, 1907.

R. L. Bradley,
Probate Judge.

H. 1110. For the relief of H. Frederick, an ex-confederate soldier; to give the said H. Frederick the benefits granted under an act of the General Assembly of Alabama, approved February 10th, 1899, for the relief of needy confederate soldiers and sailors, resident citizens of Alabama, and to require the probate judge of Escambia county to place his name on the pension roll or list of ex-confederate soldiers in the county of Escambia.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

This is to give notice that at the present term of the Alabama Legislature a local bill will be introduced for the relief of Private H. Frederick, late of Co. E, 20th Miss. Inf., C. S. A., in order that he may participate in the benefits of the fund for the relief of disabled confederate soldiers.

Brewton, Ala., May 8, 1907.

The State of Alabama, }
Escambia County. }

Before me, M. F. Brooks, judge of probate in and for said county and State, personally appeared on this date William D. Sowell, who, being first duly sworn, deposes and says that he is the editor and publisher of The Pine Belt News, a weekly newspaper published in the town of Brewton, said county and State, and that the notice

hereto attached and marked "Exhibit A," was published in said newspaper once a week for four (4) consecutive weeks, and that said notice appeared in said newspaper on the following dates, viz.: June 6th, June 13th, June 20th, and June 27th, 1907.

William D. Sowell,
Editor and Publisher Pine Belt News.

Sworn to and subscribed before me this the 8th day
of July, 1907. M. F. Brooks,
Judge of Probate, Escambia County, Ala.

H. 947. To regulate the fees of the sheriff for services in the county court of Conecuh county, Alabama.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that a bill will be introduced at the adjourned term of the Legislature of Alabama, providing that the sheriff and clerk of the circuit court of Conecuh county, shall be paid for the execution of papers in the county court, the same fees as are allowed for the same services in the circuit court of said county.

The State of Alabama, }
Conecuh County. }

Before me, F. J. Dean, judge of probate, in and for said State and county, personally appeared George Salter, Jr., who on oath doth say that he is editor and publisher of the Evergreen Courant, a newspaper published weekly in the town of Evergreen, county of Conecuh State of Alabama, and that the foregoing notice has been published every week for four consecutive weeks in said newspaper prior to this date and in the year 1907.

George W. Salter, Jr.

Sworn to and subscribed before me, this the 8th day
of July, 1907.

F. J. Dean,
Judge of Probate.

H. 1165. To amend an act entitled "An act to establish a separate school district to be known as the Elba school district, in Coffee county, Alabama, and to provide for the management of the public schools in said district," approved February 28, 1901, as amended by an act approved September 28, 1903.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

LEGISLATIVE NOTICE.

Notice is hereby given that application will be made to the present, 1907, session of the Legislature of Alabama for the passage of the following bill:

A BILL

To be entitled an act to amend "An act to establish a separate school district to be known as the Elba school district, in Coffee county, Ala., and to provide for the management of said schools in said district," approved February 28, 1901, as amended by an act approved September 28, 1903.

Section 1. Be it enacted by the Legislature of Alabama, That section 3 of an act entitled "An act to establish a separate school district to be known as the Elba school district, in Coffee county, Alabama, and to provide for the management of said schools in said school district," approved February 28, 1901, which said act was amended by an act approved September 28, 1903, be and the same is hereby amended so as to read as follows:

Be it further enacted, That the mayor and councilmen of the town of Elba and their successors in office shall constitute a board of trustees for said district, which board shall control and manage the schools and funds of said district under the terms of this act. That the State Superintendent of Education shall apportion and pay over at the beginning of each fiscal year of the State to the treasurer of the town of Elba the proportionate share of said district in all the school funds of the State,

and the county superintendent of education shall in like manner pay over to the treasurer of the town the proportionate share of said district in all the school funds of the State, and the county superintendent of education shall in like manner pay over to the treasurer of the town the proportionate share of said district in the ~~county school fund arising from local taxation and other sources and all the poll tax paid by residents of said~~ district to the treasurer of said town of Elba, and the said town treasurer shall keep all said school funds separate from other municipal funds and pay it out only on the order and warrant of said board of trustees, and for the maintenance of the public schools of said district. Said treasurer shall make report to said mayor and councilmen or such board when called on of the amount of school funds on hand and make report of his collections and disbursements under this act. That all power of township trustees shall be assumed and exercised by said board in said district.

Section 2. Be it further enacted, That all laws and parts of laws in conflict herewith be and the same are hereby repealed.

The State of Alabama, }
Coffee County. }

Before me, S. N. Rowe, probate judge in and for said State and county, personally appeared M. S. Carmichael, who, being by me duly sworn, doth depose and say that he is editor of The Elba Clipper, a newspaper published in said State and county, and that the hereto attached notice of proposed legislation, a copy of which is hereto attached, was published in said paper four consecutive weeks ending July 5, 1907.

M. S. Carmichael.

Subscribed and sworn to before me this 9th day of July, 1907.

S. N. Rowe,
Probate Judge.

H. 1041. To increase and fix the compensation of jurors, grand and petit, who serve in the circuit court of Winston county.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

A bill to be entitled an act to increase and fix the compensation of jurors, grand and petit, who serve in the circuit court of Winston county:

Be it enacted by the Legislature of Alabama, as follows:

Section 1. That all jurors, grand and petit, are entitled to two dollars and fifty cents (\$2.50) for each day's service, five (5) cents for each mile traveled in going to and returning from court, after being summoned, and ferriage and toll to be proved by the oath of the juror before the clerk of the court, whose duty it is to give each juror a certificate stating therein the number of days he has served, the number of miles he has traveled, the amount of ferriage and toll he has paid, and the amount of compensation to which he is entitled; each certificate shall be received in payment of county taxes, and any other county dues, and payable out of the county treasury.

Section 2. That all laws and parts of laws, general, local or special, in conflict with the provisions of this act, be and the same are hereby repealed.

The State of Alabama, }
Winston County. }

I, Geo. W. Adkins, publisher of the New Era, a newspaper published in Winston county, hereby certify that the attached notice has been published in said paper for 30 days prior to this date. This the 2nd day of July, 1907.

Geo. W. Adkins, Publisher.

Sworn to and subscribed before me, this 2nd day of July, 1907.

John S. Curtis,
Judge of Probate.

H. 1008. To establish the law and equity court of Mobile:

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

~~Notice is hereby given that application will be made~~
to the Legislature of Alabama to enact the following in-
to law:

A BILL

To be entitled an act to establish the law and equity
Court of Mobile.

Section 1. Be it enacted by the Legislature of Alabama, That there is hereby established in and for the county of Mobile a law and equity court of record, which shall be called the law and equity court of Mobile, and which court shall have and exercise all the jurisdiction, original and appellate, and all powers, which are now are or may hereafter be, by law, conferred upon the several circuit and chancery courts of the State, except said court shall not have jurisdiction to try criminal cases. When exercising the powers and jurisdiction of courts of equity, it shall conform to the rules of procedure and practice in the chancery courts of this State, and when exercising the powers and jurisdiction of courts of law, it shall conform to the rules of procedure and practice of circuit courts of this State, except where rules of procedure are changed by this act. Provided, that the presiding judge of said court shall have power to make and adopt such rules of practice as may be required by a proper system of practice for said court, and to amend the same as may be expedient. Said rules shall be recorded upon the minutes of said court.

Section 2. Be it further enacted, That a judge of said court shall be appointed by the governor within thirty days after the approval of this act, whose term of service shall continue until the general election in 1910,

after which time said judge shall be elective by the qualified voters of Mobile county. At the general election for State officers in November, 1910, the successor of the judge so appointed by the governor shall be elected by the qualified voters of Mobile county; said judge so elected shall hold office until the next general election for circuit judges and chancellors, at which time and every six years thereafter, the judge of said court shall be elected by the qualified voters of Mobile county as circuit judges and chancellors are elected.

Such judge shall have and exercise all the jurisdiction and powers which are now or hereafter may be lawfully exercised by judges of the circuit court or chancellors of this State, including authority to issue all writs which are now or may hereafter be lawfully issued by judges of the circuit court or chancellors of this State.

Section 2. Be it further enacted, That the clerk of the circuit court of Mobile county shall be ex-officio the clerk of said law and equity court of Mobile on the law side of said court, and shall have all the powers and be liable to perform all the duties and shall be subject to all the penalties in such court as in like cases in the circuit court, now or hereafter provided by law, and shall be entitled to the same fees as in like cases in the circuit court now or hereafter allowed by general law.

Section 4. Be it further enacted, That the register in chancery of the chancery court of Mobile county shall be ex-officio the register of said court on the equity side of said court, and shall have all the powers and be liable to perform all the duties and be subject to all the penalties in such court as in like cases in the chancery court now or hereafter provided by law, and said register shall be entitled to the same fees as in like cases in the chancery court now or hereafter allowed by general law.

Section 5. Be it further enacted, That said clerk of the circuit court and said register in chancery, as ex-officio clerk and register respectively shall have at least one deputy especially for said law and equity court, provided the same person may be both deputy-register and deputy-clerk for said law and equity court. All of

the acts of such deputy shall be performed in the name of such register or clerk. Said deputy-register and said deputy-clerk shall possess all the powers and authority, both ministerial and judicial, now or hereafter possessed by such clerk or register, respectively.

Section 6. Be it further enacted, That in the event that either the clerk of the circuit court or the register in chancery at Mobile ~~be put upon a salary~~, the judge of said law and equity court shall appoint a clerk of said court who shall be called clerk and register and thereupon be clerk of the law side, and register of the equity side of said court, and hold his office until his successor shall have been elected at the general election held in 1910 and duly qualified. Immediately upon his qualification the ex-officio service of the clerk of the circuit court and register in chancery shall cease. Thereafter said clerk of said law and equity court shall be elected in like manner and at same time as clerks of circuit courts. Said clerk shall give bond in the sum of ten thousand (\$10,000.00) dollars, with surety to be approved by the judge of said court and filed with the probate judge of Mobile county; said bond may be increased at any time upon the order of the presiding judge of said court. Said clerk on the law side of said court shall have all the power and authority, ministerial and judicial, now or hereafter vested in the clerks of the circuit courts, and on the equity side of said court he shall have all the power and authority, both ministerial and judicial, now or hereafter vested in registers in chancery. And in such event the clerk of said court shall receive a salary of three thousand (\$3,000.00) dollars per annum, payable in monthly installments out of the treasury of Mobile county. Said clerk may appoint a deputy, whose appointment shall be entered on the minutes of said court and who shall be vested with all the powers and authority of said clerk, and whose acts shall be performed in the name of said clerk, and from whose acts said clerk and sureties on his bond shall be responsible. The compensation of said deputy shall be fixed by the board of revenue and road commissioners of Mobile county and paid in monthly installments

out of the Mobile county treasury. The same fees shall be taxed in causes on the law side of said court as are allowed by general laws to clerks of circuit courts, and in causes on the equity side the same fees as are allowed by general law to registers in chancery. Said fees shall be collected by the said clerk and by him turned in to the treasury of Mobile county.

Section 7. Be it further enacted, That said court shall have one term per year, beginning on the first Monday of October and lasting until and including the 31st day of July, next following. The presiding judge of said court may adjourn said court for as long a time during the term as to him seems proper. The absence of the presiding judge for any length of time shall not cause a lapse of the term, but the clerk or the register, or both together, may adjourn said court, or the judge thereof may, by written order, transmitted to and filed with said clerk or register, order said court adjourned until any time he or they think proper. No term shall, for any cause, be adjourned sine die until the time for ending thereof fixed by law. Said presiding judge may reconvene said court for the transaction of any business, at any time, by consent of the parties, before the time by previous order of adjournment. Provided, that the first term of said court shall begin as soon as said court can be organized. Should the judge of said court, by reason of sickness or other disability, or cause, be absent from said court, the governor shall have power to appoint a judge pro tem until the regular judge's return, or for such limited time as the governor may fix; during which time said judge pro tem shall have all the power and authority of the regular judge. The clerk shall certify to the auditor the number of days attendance of said judge pro tem, and the State auditor shall draw his warrant on the State treasury in favor of said judge pro tem for ten (\$10.00) dollars for each day's attendance so certified.

Section 8. Be it further enacted, That said court shall be held at a place to be provided from time to time in the city of Mobile by the board of revenue and road commissioners of Mobile county. Said board of reve-

nue and road commissioners shall also provide such stationery, books and furniture and facilities as may be necessary for the proper transaction of the business of said court.

Section 9. Be it further enacted, That said court shall adopt a seal therefor, the form of which shall be ~~entered upon the minutes of said court; said seal may~~ be made in duplicate so that each side of said court may be provided therewith.

Section 10. Be it further enacted, That the jury commissioners of Mobile county shall provide a special box of names from which jurors for said law and equity court are to be drawn, which shall be replenished by said commissioners from time to time; in the absence thereof said names shall be drawn from the circuit court jury box. Juries for the trial of jury cases shall be drawn in open court by the clerk when ordered by the presiding judge, in the same manner now provided by law for drawing of jurors in the Mobile circuit court. The jurors shall receive the same compensation as jurors serving in the circuit court payable out of the Mobile county treasury in like manner.

Section 11. Be it further enacted, That it shall be lawful for causes to be transferred by consent of all parties thereto, or their counsel of record, from the chancery court of Mobile, or from the circuit court of Mobile, to said law and equity court, or from said law and equity court to the chancery court of Mobile, or to the circuit court of Mobile; consent of all parties or their counsel of record to be put in writing, and filed in both courts. When suits are by or against minors or insane persons, said consent may be executed by their guardian's next friend or guardians ad litem. In the event of such transfer from one court to another, the clerk or register shall transmit the original file of papers to said ~~court to which the same is transferred~~, and said cause shall stand for further proceedings therein as if originally brought in the court to which the same is so transferred, and in such event no final record of said cause shall be made in the court from which the same is so transferred.

Section 12. Be it further enacted, That in all cases commenced in said court by summons and complaint or bill in equity, the defendant shall be required to appear and demur, answer or plead to the complaint or bill within thirty days after the service of the summons upon him, whether such service of the summons upon him, whether such service be in term time or vacation; and in all causes at law commenced by attachment, if the cause of action is due, the complaint must be filed in ten days after the issuance of the attachment, and the defendant shall appear and demur or plead within thirty days after the levy of attachment and service of notice thereof, or in case the suit is against a non-resident or other person upon whom service may be had by publication, within thirty days after service is performed by such publication; if the cause of action is not due, complaint must be filed in three days after it becomes due, and the defendant must plead or demur in three days thereafter, but no judgment by default, in any case, shall be entered until five days after the complaint has been filed; and in all cases the defendant must appear and plead or demur within thirty days after perfection of such service upon him; and in all cases, whether commenced by summons and complaint, attachment, bill or otherwise, the defendant failing, for more than the time hereinabove provided to appear and demur, or plead, or answer, shall be held to be in default, and at any time thereafter judgment by default, or decree pro confesso, on motion of the plaintiff, may be rendered against him; provided, however, that the court may, for good cause shown, allow such judgment so obtained by default, or decree pro confesso, to be set aside, and demurrers, pleas or answer to be filed on such terms as the court may think just; but no judgment or decree unless it be for some reversible error committed in the rendition thereof, shall be entertained by the court, unless accompanied by an affidavit by the defendant or his agent or attorney, to the effect that in the belief of the affiant the defendant has a lawful defense to such suit.

Section 13. Be it further enacted, That all garnishments issued from said court shall require an answer

thereto within thirty days after the service thereof; and upon a failure of any garnishee to make answer within thirty days he shall be deemed in default, and a judgment nisi may be rendered against him upon motion of the plaintiff if the plaintiff is otherwise entitled to such judgment nisi, and unless otherwise ordered by the court all citations, rules, writs of scire facias and notices ~~issuing from said court shall require the party against~~ whom they are issued to appear and plead or answer within thirty days after the service thereof, and if the citations or notices are to be given by publication within thirty days after the perfection of service by publication; and all cases, whether commenced by summons and complaint, attachment, bill or otherwise, shall be deemed to be triable upon the appearance of the defendant and his pleading, or if he does not appear within thirty days after the perfection of service upon him, at the end of such thirty days. All contests of answers of garnishees shall be filed within thirty days after the filing of such answer; and unless the time therefor be extended by the court, the right to contest shall be thereafter waived.

Section 14. Be it further enacted, That every Monday of the term may be the return day for any and all process in said court, both mesne and final; provided, however, that means of final process may issue in any cause on application of parties causing such issuance to any return day not exceeding six months after the date of issuance. That all original and mesne process, notices, citations, and writs of scire-facies, shall be executed instant, and unless otherwise provided by law, shall be returned immediately upon the execution thereof by the officer executing the same.

Section 15. Be it further enacted, That all cases brought by appeal or certiorari from justices of the peace or other inferior courts to said court, shall stand for trial at any time after ten days' notice of the taking of such appeal shall have been given to the adverse party, as required by law.

Section 15. Be it further enacted, That in all cases at law tried in said court, whether commenced by sum-

mons and complaint, attachment or otherwise, the issues and questions of fact shall be tried by the court without the intervention of a jury, unless a jury be demanded by the plaintiff at the commencement of the suit, or by the defendant at the time he appears, or by any person interested in such issue or question at the time he appears; such demand must be made by the plaintiff or party occupying the position of plaintiff, by endorsing the same in writing upon the summons and complaint, attachment, petition, claim or other paper filed by him for the purpose of instituting such suit, or when he intervenes without suing out process, upon the pleadings or paper filed by him for the purpose of presenting such issue or question of fact; and by the defendant or other party occupying the position of defendant, including garnishees; by endorsing such demand in writing upon the demurrer, plea, answer or other pleading filed by him; and when a cause is transferred to said court from the circuit court it shall be tried by the court without a jury unless at the time of agreement made for such transfer a demand for a trial by jury be made in writing and filed in said cause; and in all cases brought by appeal or certiorari from judgments of justices of the peace or other inferior tribunals, the issues and questions of fact shall be tried by the court without jury, unless a demand for trial by jury be made in writing and filed in the cause by the party taking the appeal at the time he takes the same, or by the opposite party within ten days after he has been served with notice of the appeal; provided, that the judge of said court may order any cause or issue of fact, which by law may be tried by jury, to be so tried by jury.

Section 17. Be it further enacted, That in the trial of any cause at law by said court, without a jury, in addition to the questions which may be, under existing laws, presented to the supreme court of the State for review, either party may by bill of exceptions, also present on appeal for review the conclusions and judgment of the court upon the evidence, and the supreme court shall review the same without any presumption in favor of the court below on the evidence; and in such case, if

they find that there is an error, they shall render such judgment in the cause as the court below should have rendered, or reverse and remand the same, for further proceedings as to the supreme court shall seem right.

Section 18. Be it further enacted, That appeals or writs of certiorari may be taken to said court hereby established from the judgment of justices of the peace or other inferior courts in the county of Mobile, in any civil cases in which appeals or writs of certiorari may, by law, be taken from such judgments to the circuit court of said county, and in the same manner.

Section 19. Be it further enacted, That the supreme court of this State shall have appellate and supervisory jurisdiction over said court and the judge thereof, which may be exercised in the same manner and in the same cases as such jurisdiction may be exercised over the circuit or chancery court or the judges thereof; and appeals may be taken from the judgments, orders and decrees of said court to the supreme court in the same manner, within the same time, and in the same cases as appeals are taken from judgments, orders or decrees of the circuit or chancery court to the supreme court.

Section 20. Be it further enacted, That after ten days from the rendition of any judgment or final decree, unless otherwise directed in said judgment or decree, the clerk or register of said court shall issue execution, returnable as hereinbefore provided. Provided, however, that nothing herein contained shall prevent any person from having execution issued within said ten days, upon making affidavit as now provided by law, in relation to the issue of execution upon judgments in the circuit court; and provided further, that nothing contained herein shall prevent the superseding of execution after the issue thereof upon giving supersedeas bond, as now required by law.

Section 21. Be it further enacted, That all laws of a general nature now in force, or that may hereafter be enacted, giving or extending jurisdiction to the circuit and chancery courts, shall be held to extend and apply to said court, although the said court may not be men-

tioned therein, unless the contrary be expressly provided and unless they are contrary to the provisions of this act.

Section 22. Be it further enacted, That all bills of exception relating to the trial of causes or issues in said court must be signed by the judge who presides at such trial within thirty days after the day on which was tried the issue or issues of fact to which said bill of exceptions relate, unless the time for signing such bill of exceptions is extended by agreement of parties or by order of said judge as now or may be authorized by law, respecting the signing of bills of exceptions in the circuit court; such extended time shall not extend beyond six months from the date of such trial.

Section 23. Be it further enacted, That final judgments and decrees rendered in said court shall after the expiration of thirty days from their rendition, be taken and deemed as completely beyond the control of the court, as if the term of said court at which said judgments or decrees are rendered, had ended at the end of said thirty days; provided, however, that nothing herein contained shall prevent parties from applying for a new trial or rehearing within said thirty days, or destroy or change the effect of motions for new trials or rehearings when so made, or shall prevent parties from applying to said court for a rehearing under the statute authorizing applications for rehearing in the circuit court, or shall prevent the court from re-trying any cause under section 3341 of the Code of Alabama, or shall prevent the court from exercising any power or jurisdiction conferred upon the circuit court touching final judgments or upon the chancery court touching final decrees.

Section 24. Be it further enacted, That all the witnesses in attendance upon said court must prove their attendance within five days after the termination of the trial of the cause in which they were subpoenaed or called to testify, and unless they prove their attendance within that time their fee shall not be taxed as costs nor shall the same be recoverable against either party.

Section 25. Be it further enacted, That the venue in any cause in said court may be changed to other county

than Mobile county under the same rules and regulations that govern changes of venue in the circuit courts of the State.

Section 26. Be it further enacted, That the sheriff of said county shall be, in person or by deputy, required to attend court, preserve order, and execute and return its process, and perform such other duties, in all respects, as in the circuit and chancery courts of this State, and he shall furnish all subordinate officers that may be necessary to expedite the business of said court, the same as he is now required to do under the law governing him as officer of the circuit and chancery court of this State, the fees of such officers of said court for services rendered, and the compensation of jurors and witnesses therein, shall be the same as are or may be allowed for like services in the circuit and chancery courts of this State.

Section 27. Be it further enacted, That the judge of said court hereby established shall be paid out of the State treasury, in monthly installments, the same salary paid during the incumbency of said judge to the chancellors of this State, and in the same manner as such chancellors are paid. The board of revenue and road commissioners of Mobile county, or other body possessing like functions, may provide for the payment, out of the treasury of Mobile county, of an additional compensation to said judge of such an amount that his total compensation shall not exceed five thousand (\$5,000.00) dollars per annum; said addition to the judge's salary shall be fixed before the election of said judge, and shall not be increased or decreased during the term for which said judge may be elected; provided, that the additional compensation of the first incumbent appointed by the governor may be fixed after his appointment; provided, further, that additional compensation, when once fixed shall continue until changed by said board in a manner not inconsistent herewith.

Section 28. Be it further enacted, That it shall be the duty of the official court stenographer of Mobile county to attend either in person or by assistant upon said law and equity court whenever required thereto by

the presiding judge, and to take stenographic notes of the testimony introduced in trials therein. Whenever his attendance is required at the same time or times in either the city, circuit or probate courts of Mobile, he shall have the right and power to attend in the law and equity court by an assistant qualified and selected as provided by law for such assistant in the circuit or city court of Mobile, for whose services said official stenographer shall be entitled to be paid seven and 50-100 (\$7.50) dollars per day for each day's attendance of said assistant, said compensation for said assistant, if any, to be paid monthly out of the treasury of Mobile county, upon the certificate or order of the clerk of said court, approved by the presiding judge thereof. Said stenographer shall also make typewritten transcripts of said stenographic notes or any part thereof, on application of any person or persons, for which transcripts he shall receive from such applicant or applicants the same fees fixed by law for like transcripts in the circuit court of Mobile.

Section 29. Be it further enacted, That all laws and parts of laws in conflict with this act be, and the same are, hereby repealed.

The State of Alabama, }
Mobile County. }

Personally appeared before me, R. T. Ervin, a notary public in and for said State and county, Thomas B. Allman, who, being duly sworn, says on oath, that he is the cashier of the Mobile Daily Herald, a newspaper published in Mobile, Alabama; that the attached notice was published in the said Mobile Daily Herald on February 18th and 25th, Mar. 4th, 11th, 1907.

Thomas B. Allman.

Subscribed and sworn to before me this 5th day of July, 1907.

R. T. Ervin,

Notary Public, Mobile county, Alabama.

The State of Alabama, }
 Mobile County. }

Personally appeared before me, R. T. Ervin, a notary public in and for said State and county, Thomas B. Allman, who, being duly sworn, says on oath, that he is the cashier of the Mobile Daily Herald, a newspaper published in Mobile, Alabama; that the attached notice was ~~published in the said Mobile Daily Herald on May 30th, June 6th, 13th and 20th, 1907.~~

Thomas B. Allman.

Subscribed and sworn to before me this 5th day of July, 1907.

R. T. Ervin,

Notary Public, Mobile County, Alabama.

NOTICE

Is hereby given of the intention to apply to the Legislature of Alabama for the passage of a local or special law creating a court of record for Mobile county, to be known as the law and equity court of Mobile; to fix the jurisdiction of said court; to provide for the time and place for holding the sessions thereof; to provide the method of selecting a judge and other officers for said court, and to fix their powers, duties and compensations; to provide for the pleadings and practice therein and appeals to and from said court, and for the transfer of cases to and from said court; to prescribe the powers of the judge of said court; and to provide for the issuance and return of all mesne and final process from and to said court.

H. 1135. To repeal an act establishing of a separate school district, to be known as the Oxmoor district, at Oxmoor, in Jefferson county, Alabama, with certain powers and privileges of levying taxes to sustain said school, approved February 9th, 1877.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
 Jefferson County. }

Before me, L. J. Haley, Jr., N. P., personally appeared E. W. Jones, who, being duly sworn, deposes and says that he is manager and editor of the Jones Valley Times, a weekly newspaper published in said county, and that the publication of a certain notice, a copy of which is hereunto attached is a true copy, has been made in said paper for four consecutive weeks, to-wit: on the 10th, 17th, 24th, and 31st days of January, and February 7th, 1907.

E. W. Jones.

Sworn to and subscribed before me this 8 day of July, 1907.

L. J. Haley, Jr.,
 Notary Public.

NOTICE.

Bills will be introduced into the Legislature:

1st. To amend an act to provide an office and increased salary for the county superintendent of Jefferson county, and to further define his duties, approved February 22nd, 1887, by leaving out section 2 of said act, which provides additional pay for said superintendent.

2nd. To repeal an act to provide for the election of county superintendent of education by a vote of the people in the county of Jefferson, approved February 21st, 1899.

3rd. To repeal an act to provide for the establishing of a separate school district to be known as the Oxmoor district, at Oxmoor, in Jefferson county, Alabama, with certain powers and privileges of levying taxes to sustain said school district, approved February 9th, 1877.

4th. To repeal an act to provide for the establishing of a separate school district to be known as the North Birmingham district, in Jefferson county, Alabama, and to provide for the selection of a board of trustees for said school district, with certain duties and powers, approved March 4th, 1901.

H. 1219. To increase the salary of the solicitor of Jefferson county to the sum of four thousand five hundred dollars per annum, and provide for the payment of said salary.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that application will be made to the Legislature of Alabama at the adjourned session to pass an act, the substance of which is as follows:

A bill to be entitled an act to increase the salary of the solicitor for Jefferson county to a sum not to exceed four thousand, five hundred dollars per annum, to be paid as now provided by law, provided, however, the provision of this act shall not apply to the term of the present solicitor of Jefferson county.

The State of Alabama, }
Jefferson county. }

Before me, Jack T. Stallings, a notary public, personally appeared E. W. Jones, who, being duly sworn, deposes and says that he is publisher and editor of the Jones Valley Times, a weekly newspaper published in said county, and that the publication of a certain notice, of which the notice attached is a true copy, has been made in said paper for four consecutive weeks, to-wit: on the 13th, 20th and 27th days of June, 1907, and the 4th day of July, 1907.

E. W. Jones.

Sworn to and subscribed before me this 12th day of July, 1907.

Jack T. Stallings,
Notary Public.

H. 875. For the relief of J. W. Swindle, Jas. Morris, W. R. Blackwell, R. J. Green, J. K. P. Manasco, J. H. Weems, John O'Rear, W. C. Atkins, U. R. Self, Jacob Strickland, John S. Jenkins, F. M. Hyche, J. W. Me-

Daniel, and R. T. Knight, ex-confederate soldiers, all resident citizens of Alabama.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that a bill will be introduced for passage at the present session of the Legislature of Alabama in substance as follows:

A BILL

For the relief of J. W. Swindle, Jas. Morris, W. R. Blackwell, R. J. Green, J. K. P. Manasco, J. H. Weems, John O'Rear, W. C. Atkins, U. R. Self, Jacob Strickland, John S. Jenkins, F. M. Hyche, J. W. McDaniel and R. T. Knight, ex-confederate soldiers, all resident citizens of Walker county, Alabama.

Section 1. Whereas, J. W. Swindle, James Morris, W. R. Blackwell, R. J. Green, J. K. P. Manasco, J. H. Weems, John O'Rear, W. C. Atkins, U. R. Self, Jacob Strickland, John S. Jenkins, F. M. Hyche, J. W. McDaniel and R. T. Knight, have made application to the probate judge of Walker county, Alabama, for a pension for the year 1906, in accordance with a bill passed by the Legislature of Alabama, and approved September 25, 1903, for the relief of needy confederate soldiers and sailors, resident citizens of Alabama, and their widows. And, whereas, said applications have been passed upon by the county board of examiners for Walker county, Alabama, and have been passed upon and reported favorably by said board, and whereas the State board of examiners have refused to grant said applications, and have turned said applications down and not given any reason therefor; now, therefore,

Be it enacted by the Legislature of Alabama, That the State auditor is hereby required and directed to place the names of J. W. Swindle, James Morris, W. R.

Blackwell, R. J. Green, J. K. P. Manasco, J. H. Weems, John O'Rear, W. C. Atkins, U. R. Self, Jacob Strickland, John S. Jenkins, F. M. Hyche, J. W. McDaniel and R. T. Knight, upon the pension rolls for needy confederate soldiers and sailors, resident citizens of Alabama, and their widows, and draw warrants on the State treasurer in favor of each of the above named parties for their ~~pro rata share of the pension fund~~ for the benefit of ex-confederate soldiers for the year 1906, to be paid out of any unexpended money belonging to said funds, and he is further required to place their names upon the pension roll for 1906.

Sec. 2. That all laws and parts of laws in conflict with the provisions of this act be, and the same is hereby repealed.

The State of Alabama, }
Walker County. }

Before me, R. Bates, a justice of the peace in and for said county in said State, personally appeared J. R. Gunter, who being me first duly sworn upon oath—says that he is editor of the Mountain Eagle, a newspaper published in Walker county, Alabama, that he has personal knowledge that the attached notice of an intention to introduce a bill at the present session of the Legislature of Alabama for the relief of J. W. Swindle, James Morris, W. R. Blackwell, R. J. Green, J. K. P. Manasco, J. H. Weems, John O'Rear, W. C. Atkins, U. R. Self, Jacob Strickland, John S. Jenkins, F. M. Hyche, J. W. McDaniel, and R. T. Knight, ex-confederate soldiers, was published in said Mountain Eagle once a week for four consecutive weeks, commencing on the 23d day of January, 1907.

J. R. Gunter.

Sworn to and subscribed before me this 28th day of February, 1907.

R. Bates,
Justice of the Peace.

H. 933. To vacate and annul as public streets or highways that portion of First street in the town of North Birmingham, Alabama, beginning fifty feet

south of Seventh alley, and running thence south to the Southern Railway right-of-way, and that portion of Second street in the town of North Birmingham, Alabama, running from the south line of Seventh alley, south to the north line of Eighth alley, both according to the map of the North Birmingham Land Company; and to annul and extinguish the dedication thereof.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that at the session of the legislature of Alabama, which reconvenes on July 9, 1907, there will be introduced for passage a bill which will be in substance as follows:

Be it enacted by the legislature of Alabama, That that part of First street, in the town of North Birmingham, Alabama, beginning fifty (50) feet south of Seventh alley, and running thence south to the Southern railway right of way, and that part of Second street, in the town of North Birmingham, Alabama, running from the south line of Seventh alley, south to the north line of Eighth alley, as shown on the map of the North Birmingham Land Company, being in Jefferson county, Alabama, be and the same are hereby annulled, vacated and abolished as streets or public highways, and the same shall forever cease to be public streets or highways and the dedication of the same as such is hereby extinguished and annulled.

The State of Alabama, }
Jefferson County. }

Before me, C. B. Smith, a notary public in and for said county in said State, personally appeared Edgar W. Jones, who being by me first duly sworn, deposes and says that he is the editor and publisher of the Jones Valley Times, a weekly newspaper published in Birmingham, Jefferson county, Alabama, and that the foregoing notice hereto attached has been published in said Jones

Valley Times once a week for four consecutive weeks prior to the making of this affidavit.

Edgar W. Jones.

Sworn to and subscribed before me this 5th day of July, 1907.

C. B. Smith, Notary Public.

H. 938. To alter or re-arrange the boundary lines of the city of Bessemer, Jefferson county, Alabama.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Jefferson County. }

Personally appeared before me, the undersigned authority, A. K. Williamson, who being by me duly sworn, deposes and says on oath that he is the president and manager of the Workman Publishing Co.; that the Bessemer Workman is a newspaper published in the city of Bessemer, Jefferson county, Alabama, by said company; and affiant further says on oath that the following printed notice pasted to this affidavit was published once a week for four (4) consecutive weeks in the said Bessemer Workman, beginning on the 14th day of June, 1907, and published each week thereafter to and including the 5th day of July, 1907.

A. K. Williamson,
President and Manager.

Subscribed and sworn to before me on this the 5th day of July, 1907.

Ben Y. Perry, Notary Public.

A BILL

To be entitled an act to alter or re-arrange the boundary lines of the city of Bessemer, Jefferson County, Ala.
Be it enacted by the legislature of Alabama:

Section 1. That the boundary lines of the city of Bessemer, Ala., be altered or re-arranged so as to include the following described territory, to-wit:

Beginning at half (1-2) section corner on section line between sections 19 and 20 township 19 south range 4 west, running thence north along said section line to Valley Creek, running thence along and with the meanderings of Valley Creek in a northerly and easterly direction to macadamized road between Bessemer and Birmingham intersecting the macadamized road near Robertstown furnace, thence along said macadamized road in north easterly direction with and of the 1-4 section line between the N. E. 1-4 and the N. W. 1-4 of the S. E. 1-4 of section 33 township 18 south, range 4 west, thence along the said 1-4 section line in a northerly direction to its intersection with section line running east and west between sections 33 and 28, township 18, south, range 4 west, thence in an easterly direction along said section line between section 33 and 28, and 34, 27, to section corner of sections 26, 27, 34 and 35, thence south along said line between 34 and 35, to 1-2 section corner thence east along 1-2 section line to 1-2 section corner on section line running north and south between sections 35 and 36, thence south along section line to corner of sections 36 and 35 township 18 south range 4 west and sections 1 and 2, township 19 range 4 west, thence in a westerly direction along section and township line to 1-4 section corner on section line between sections 2 and 35, thence in a southerly direction along 1-4 section line to its intersection with Holbrook avenue of the city of Bessemer if extended, thence in a southwesterly direction along Holbrook avenue and extension of Holbrook avenue to 1-2 section line running east and west through section 21, township 19 south, range 4 west, thence in a westerly direction along 1-2 section line to point of beginning, all territory described being in township 18 and 19, south, range 4 west.

Sec. 2. Whenever the board of mayor and aldermen of the city of Bessemer shall adopt a resolution calling for an election of the qualified voters residing in the above described territory not now being included and part of the territory of the city of Bessemer; it shall be the duty of the mayor of the city of Bessemer to certify a copy of such resolution to the probate judge of Jeffer-

son county, Alabama. It shall be the duty of the judge of probate within ten days from the filing of such certified copy of such resolution, to make and enter an order upon the minutes of said court, directing and ordering an election to be held by the qualified voters residing in the above described territory, all incorporated towns embraced in the above territory shall each be a separate ~~and distinct voting place, and unless a majority of the~~ qualified electors voting at such an election shall vote for annexation to the city of Bessemer such town shall not be annexed or become a part of the city of Bessemer.

All of the above described territory not being embraced in or a part of an incorporated town or city shall be bound as to annexation by the vote of a majority of the qualified electors residing therein and voting.

The probate judge of Jefferson county, Alabama, shall give notice of the holding such an election, by publication in at least one newspaper published in the above described territory for not less than (20) twenty or more than (40) forty days, which notice shall state the day on which such an election is to be held, the voting place or places, and shall appoint three inspectors for each voting place and a returning officer.

Sec. 3. Each voter may furnish his own ballot, with the following words written or printed thereon: "For Annexation" if he desires to vote in favor of annexing said territory to the city, or "Against Annexation" if he desires to vote against annexing the territory to the city; it shall not be necessary for the ballot to be of any particular size, color or form, it shall be the duty of the judge of probate to canvass the returns as made by the inspectors, and if it appears that a majority of the votes cast at the election held were in favor of "For Annexation" the judge shall make and enter an order on the records of the probate court adjudging and decreeing the corporate limits of the city of Bessemer is extended, ~~altered or rearranged so as to include and embrace the~~ territory above described.

If it appears that a majority of the votes cast at the election are "Against Annexation," the judge of probate shall make and enter an order on the records of the

court, adjudging and decreeing that a majority of the votes at such an election were cast against annexation to the city of Bessemer and that the above described territory shall not form a part or be embraced in the city of Bessemer, Ala.

The election herein provided for shall be governed by the laws regulating elections except as may be herein otherwise provided, the result of said election may be contested by any qualified elector voting at the election, under the same provisions as are governed by general laws for contesting the election of justices of the peace, making the city of Bessemer the contestee.

Sec. 4. All territory brought within the corporate limits of the city of Bessemer, under the provisions of this act, shall be subject to the laws and ordinances of said city, and the mayor and board of aldermen shall have and exercise the same jurisdiction over such territory as over the corporate limits of the city of Bessemer.

Sec. 5. The probate judge shall be entitled to the same fees for his services performed under the provisions hereof as he is authorized by law to charge and collect for similar services rendered by him, and the city of Bessemer shall pay all expenses and cost thereof, except in cases of a contest as herein provided.

Sec. 6. After an election has been held in the territory above described under the provisions of this act, no other or subsequent election shall be ordered or held for the same territory or any part thereof within six months next after such election.

H. 1067. To vacate and annul the dedication of the following highways and parts of highways situated in Jefferson county, Alabama, to-wit:

All that part of the alleys lying and running through blocks 83, 122, 126, and 168, lying within one hundred feet of Fourteenth street and the continuation thereof, the said blocks being described according to the survey, map and plan of the city of Bessemer, by the Bessemer Land & Improvement Company, and situated in Bessemer, Jefferson county, Alabama. Also all that part of

the alley in block B of Hall's addition to Bessemer map of plan and survey of which is recorded in the office of the judge of probate of Jefferson county, Alabama, in map book three-at page twenty-three, which lies within two hundred feet of the continuation of Fourteenth street along the northwest boundary of said block, and situated in Jefferson county, Alabama. Also all that ~~part of Exeter avenue lying within one hundred feet of~~ Fourteenth street in the city of Bessemer, Jefferson county, Alabama. Also all that part of Seventeenth street lying between First avenue and Alabama avenue, in the city of Bessemer, Jefferson county, Alabama. And also the alleys lying within and running through blocks two hundred and one and two hundred and two in the city of Bessemer, Jefferson county, Alabama.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Jefferson County }

Before the undersigned, Lutie Chisholm, a notary public in and for the county and State aforesaid, personally appeared Thomas B. Smith, who is known to me and who being duly sworn deposes and says on oath that he is business manager of the "Birmingham Ledger" and has been such business manager continuously since prior to the eleventh day of June 1907; that the Birmingham Ledger is a newspaper of general circulation, which has been published daily, except Sundays, in Birmingham, Jefferson county, Alabama, since prior to the eleventh day of June 1907; and that the notice hereinbelow attached was published without cost to the State of Alabama, in regular issues of said newspaper which were published on the 11th, 18th and 25th days of June, and on the 2nd day of July 1907, the said notice being in words and figures as follows, to-wit:

NOTICE.

Notice is hereby given that application will be made to the legislature of Alabama to pass a local law to va-

cate and annul the dedication of the following highways and parts of highways, situated in Jefferson county, Alabama, to-wit:

All that part of the alleys lying in and running through blocks 83, 122, 126 and 168, lying within one hundred feet of Fourteenth street and the continuance thereof, the said blocks being described according to the survey, map and plan of the city of Bessemer by Bessemer Land & Improvement Company, and situated in Bessemer, Jefferson county, Alabama.

Also all that part of the alley in block B. of Hall's addition to Bessemer, map of the plan and survey of which is recorded in the office of the judge of probate of Jefferson county, Alabama, in map book 3, at page 23, which lies within two hundred feet of the continuation of Fourteenth street along the northwest boundary of said block, and situated in Jefferson county, Alabama.

Also all that part of Exeter avenue lying within one hundred feet of Fourteenth street in the city of Bessemer, Jefferson county, Alabama.

Also all that part of Seventeenth street lying between First avenue and Alabama avenue in the city of Bessemer, Jefferson county, Alabama.

And also all the alleys lying within and running through blocks 201 and 202 in the city of Bessemer, Jefferson county, Alabama.

Lee C. Bradley,
Thomas B. Smith.

Sworn to and subscribed before me, this the 8th day of July, A. D. 1907.

Lutie Chisholm, Notary Public.

H. 1035. To provide for the election of a county solicitor for Wilcox county, to define his duties and fix his compensation.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
 Wilcox County. }

Personally appeared before me, Francis M. Purifoy, a justice of the peace in and for said State and county, J. R. Foster, who is the business manager of the Wilcox Banner, a newspaper published at Camden, Alabama, Wilcox county, and who deposes and says that the notice hereto attached was published in the Wilcox Banner for four consecutive weeks, as required by law.

J. R. Foster.

Subscribed and sworn to before me this 3 day of July, 1907.

Francis M. Purifoy,
 Justice of the Peace, Wilcox County, Ala.

NOTICE.

Notice is hereby given that a bill will be introduced in the next Legislature of Alabama to create the office of county solicitor of Wilcox county, to define his qualifications and duties, to fix his salary at \$1,000 per annum, to provide for his election in 1910, and empower the circuit solicitor to appoint until said election.

H. 966. To amend section 7, 8, 14, 21, 24, 27, 29 and 32 of an act entitled an act to establish a law and equity court for Madison county, approved February 26th, 1907.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
 Madison County. }

Before me, W. F. Esslinger, a notary public in and for said State and county this day personally appears Susanna W. Clay, who being duly sworn, says that the following notice of intention to apply for amendments to local law, to-wit:

NOTICE OF INTENTION TO APPLY FOR AMENDMENTS TO
LOCAL LAW.

Notice is hereby given that a bill will be introduced in the Legislature of Alabama, at its present session, to be entitled an act to amend sections 7, 8, 14, 21, 24, 27, 29 and 32 of an act to establish a law and equity court for Madison county, approved February 26th, 1907.

The changes made by the amendments to said sections in the sections as they appear in the act are substantially as follows:

Section 7 is amended so as to change the terms of the court from the second Monday in January to the first Monday in March, and from the third Monday in September to the first Monday in October; the March term may continue until the last Saturday in June, inclusive, and the October term until the last Saturday in February, inclusive.

Section 8 is amended so as to provide that grand juries must be organized the first week of each term, each session limited to two weeks unless the judge extends the session. A grand jury may also be organized at any other time during a term with duties and powers of grand juries, generally, sessions limited to the week in which organized unless the judge extends the session; to be summoned and organized in the manner provided by section 5,000 of the Code.

Section 14 is amended so as to require the justice or notary in cases of levy on land under execution or attachment from his court to transmit all the papers, to the present term of this court, if practicable, otherwise to the next term, whereupon this court may proceed at once to order a sale of the land in like manner as circuit courts.

Section 21 is amended so as to provide that the register shall have, exercise and discharge the same powers and duties in term time as in vacation.

Section 24 is amended so as to make warrants in misdemeanor cases returnable before the judge, and so as to require an accused party wishing to have such charge investigated by a grand jury, to make the demand when

the case is first called for trial, and in any event, before a continuance thereof and not afterward.

Section 27 is amended so as to require bills of exception to be signed within twenty days from the date of the judgment, but the judge may extend the time not later than ninety days from the date of the judgment, and any number of extensions may be made, provided each order of extension is made before the expiration of the former order all not to exceed said ninety days.

Section 29 is amended so as to regulate more in detail the proceedings and practice in appeal cases from the courts of justices and notaries, the chief additions or changes being to make appeal cases returnable to the present term of the court unless the appeal is taken in vacation, then to the next term, and to provide that appeal cases stand for trial at once, subject to the regulations laid down in the section as amended.

Section 32 is amended so as to require any balance of the funds arising from sentences for costs in misdemeanor cases in the court, above the costs, and all funds arising from sentences on convictions in this court, except that part of such funds arising from the sentence for the fine, over and above the amount necessary to pay the costs, to be paid into the county treasury to the credit of the general fund.

Each of said sections, as amended, except for the amendments thereto, is a substantial reproduction of such section as it appears in the act amended.

Was published once a week for four consecutive weeks upon the following dates, to-wit: May 22 and 29th, and June 5th and 12th, 1907, in the Huntsville Weekly Democrat, a newspaper published in said county of Madison and that affiant is the editor and publisher of said newspaper.

Susanna W. Clay.

Sworn to and subscribed before me this the 13th day of June, 1907.

W. F. Esslinger,
Notary Public.

H. 1183. For the relief of Mrs. Mary Jane Vernon, widow and sister of G. B. Alexander, a confederate pensioner.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

Notice is hereby given that an application will be made to the Legislature to pay me, the undersigned, the pension due G. B. Alexander, a confederate soldier, who died on 17th of May, 1906, in Wilcox county, Alabama.

Mrs. Mary Jane Vernon.

The State of Alabama, }
Wilcox County. }

Personally appeared before me, Francis M. Purifoy, a justice of the peace in and for said county, J. R. Foster, who is the publisher of the Wilcox Banner, a newspaper published at Camden, Wilcox county, Alabama, and who deposes and says that the notice hereto attached was published in the Wilcox Banner for four consecutive weeks, as required by law. J. R. Foster.

Sworn and subscribed before me, this 5th day of July, 1907.

Frances M. Purifoy,
Justice of the Peace.

H. 1301. To prohibit the sale, barter, exchange, or giving away of vinous, spirituous or malt liquors, or other intoxicating drinks or beverages, in the county of Houston, in the State of Alabama; and to provide for an offense and a penalty for the sale, barter, exchange, or giving away of vinous, spirituous or malt liquors, or other intoxicating drinks or beverages in the said county of Houston.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that application will be made to the present Legislature of Alabama to reconvene on the 9th day of July, 1907, to pass the following law:

An act to prohibit the sale, barter, exchange, or giving away of vinous, spirituous or malt liquor, or other intoxicating drinks or beverages in the county of Houston, and to provide for an offense and a penalty for the sale, barter, exchange or giving away of vinous, spirituous or malt liquor, or other intoxicating drinks or beverages in the county of Houston.

Section 1. Be it enacted by the Legislature of Alabama, That on and after the passage of this act, it shall be unlawful to sell, give away, barter or exchange any vinous, spirituous or malt liquor, or other intoxicating beverages in the county of Houston; and the sale, barter, exchange, or giving away of vinous, spirituous or malt liquor, or other intoxicating drinks or beverages within the limits and bounds of the county of Houston is hereby prohibited.

Section 2. Be it further enacted, That any person, firm or corporation who shall sell, barter, exchange or give away any spirituous, vinous or malt liquor, or other intoxicating drinks or beverages, within the limits and bounds of the county of Houston, shall be guilty of a misdemeanor, and upon conviction, shall be fined not less than one hundred dollars, and may also be sentenced to hard labor for the county for not less than thirty days, nor more than one year, one, or both, at the discretion of the judge presiding on the trial of the case.

Section 3. Be it further enacted, That all laws and parts of laws, in conflict herewith be and the same are hereby repealed.

B. W. Clendinen, W. C. Strickland, T. J. Herring, W. R. Flowers, W. I. Johnson, J. R. McCarty, J. D. Prevatt, J. R. Keyton, M. Cherry, George Cotton, S. M. Brown, J. D. Flowers, J. V. Brown, G. H. Malone, N. H. McCullum, R. C. Williams, R. T. McDavid, F. B. Culver, R. W. Lisenby, E. R. Malone.

The State of Alabama, }
Houston County. }

Before me, Nannie E. McAliley, a notary public in and for said county, came W. F. Ussery, who, being sworn, says that he is the editor and publisher of the Wire-Grass Siftings; and that the said Wire-Grass Siftings is a newspaper published in Dothan, Houston county, Alabama, and that the notice hereto attached, marked exhibit "A," was published in the said Wire-Grass Siftings once a week for four consecutive weeks, before the making of this affidavit, and in weekly issues of said Wire-Grass Siftings in the months of June and July, 1907.

W. F. Ussery.

Sworn to and subscribed before me this 15th day of July, 1907.

Nannie McAliley,
Notary Public.

H. 1210. To repeal Sec. 1 of an act to increase the criminal jurisdiction of justices of the peace in the counties of Limestone, Marion, Greene and Marshall, approved February 12, 1879, so far as Marion county is concerned; and to provide that justices of the peace and notaries public and ex-officio justices of the peace of Marion county shall have and exercise the jurisdiction given by the Code and general laws of the State.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE OF LOCAL LAW.

I shall introduce and pass at the present session of the Legislature a law repealing section 1 of an act to increase the criminal jurisdiction of justices of the peace in the counties of Limestone, Marion, Green and Marshall, approved February 12, 1879, so far as Marion county is concerned; and to provide that justices of the peace and notaries public, ex-officio justice of the peace of this county shall have and exercise the jurisdiction given by the Code and general laws of the State. This June 8, 1907.

C. E. Mitchell.

The State of Alabama, }
 Marion County. }

Before me, Mack Pearce, judge of probate in and for said State and county, this day personally appeared G. J. Wilson, who is personally known to me to be the editor and publisher of the Marion County News, who, being by me first duly and legally sworn, deposes and says ~~that he is the editor and publisher of the Marion County News~~, and that said Marion County News is a weekly newspaper published in the town of Hamilton, in said State and county; and affiant further states that a certain advertisement, a true and correct copy of which is hereunto attached, was published in said newspaper for four consecutive weeks prior to the 11th day of July, 1907; and affiant further states that said publication was made without cost to the State.

G. J. Wilson,
 Editor Marion County News.

Sworn to and subscribed before me this 11th day of July, A. D., 1907.

Mack Pearce,
 Judge of Probate.

H. 1221. To prohibit the running or operating of billiard or pool tables for the use of which money or other thing of value is charged, within the county of Madison, except within the corporate limits of the incorporated towns or cities thereof.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
 Madison County. }

Before me, W. F. Esslinger, a notary public in and for said State and county, this day personally appears R. L. O'Neal, who, being duly sworn, says that the following notice of intention to apply for local law, to-wit:

NOTICE

Is hereby given that substantially the following bill will be introduced at the July term of the Legislature, 1907:

AN ACT

To prohibit the running or operating of billiard or pool tables, for the use of which money or other thing of value is charged, within the county of Madison, except within the corporate limits of the incorporated towns or cities thereof.

Be it enacted by the Legislature of Alabama:

1. It shall be unlawful to run or operate any billiard or pool table, for the use of which money or other thing of value is charged, within the county of Madison, except within the corporate limits of the incorporated towns or cities thereof.

2. Any person violating the provisions hereof is guilty of a misdemeanor, and upon conviction, shall be fined not less than twenty-five dollars nor more than two hundred dollars, or may be sentenced to hard labor for the county for not more than six months.

3. All laws and parts of laws in conflict herewith are repealed. 6-2-4t

Was published once a week for four consecutive weeks upon the following dates, to-wit: June 2, 9, 16th and 23rd, 1907, in the said Mercury, a newspaper published in said county of Madison, and that affiant is the editor and publisher of said newspaper. R. L. O'Neal.

Sworn to and subscribed before me on this the 11th day of January, 1907. W. F. Esslinger,
Notary Public.

H. 1100. To prohibit the manufacture of spirituous or malt liquors in Cherokee county.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE OF PETITION.

Notice is hereby given that there will be presented to the Legislature of the State of Alabama, at the adjourned session in July, 1907, a petition asking said Legislature to enact a law prohibiting the manufacturing or distilling of whiskey or spirituous liquors in Cherokee county, Alabama.

This April 29, 1907.

The State of Alabama, }
Cherokee County. }

Before me, I. L. Brock, clerk of the circuit court for said county, came T. H. Shopshire, editor and publisher of the Coosa River News, a weekly newspaper published in said county, who, being duly sworn, deposes and says that the notice hereto attached was published in said paper five consecutive weeks, beginning with the issue of May 3, 1907.

T. H. Shopshire,
Editor News.

H. 1102. To amend sections 8 and 10 of an act entitled an act to authorize the cities of Tuscumbia and Sheffield, and the towns of Leighton and Cherokee, in Colbert county, to establish and operate dispensaries in such incorporated cities and towns, for the purpose of buying and selling spirituous, vinous and malt liquors, and to provide for the distribution of certain profits arising therefrom, and to further regulate or prohibit the sale of such liquors in said county, approved February 15, 1907, and to amend said act by adding sections 19 and 20 thereto.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE OF PROPOSED LEGISLATION.

Notice is hereby given that when the Legislature of Alabama convenes on the 9th day of July, 1907, a bill substantially in the following words, will be introduced and passed:

A BILL

To be entitled an act to amend sections 8 and 10 of an act entitled an act to authorize the cities of Tusculumbia and Sheffield, and the towns of Leighton and Cherokee, in Colbert county, to establish and operate dispensaries in such incorporated cities and towns, for the purpose of buying and selling spirituous, vinous and malt liquors, and to provide for the distribution of certain profits arising therefrom, and to further regulate or prohibit the sale of such liquors in the said county, approved February 15, 1907, and to amend said act by adding sections 19 and 20 thereto.

Section 1. Be it enacted by the Legislature of Alabama, That section 8 of an act entitled an act to authorize the cities of Tusculumbia and Sheffield and the towns of Leighton and Cherokee, in Colbert county, to establish and operate dispensaries in such incorporated cities and towns for the purpose of buying and selling spirituous, vinous and malt liquors and to provide for the distribution of certain profits arising therefrom, and to further regulate or prohibit the sale of such liquors in said county, approved Feb. 15, 1907, be amended so as to read as follows: The dispenser shall have no spirituous, vinous or malt liquors that are not contained in sealed packages, and no package which does not contain full measure shall be sold at any dispensary. The dispenser shall not receive or keep any broken packages in his dispensary. If any original package should be broken, the contents shall be bottled and the bottle sealed. Provided, that nothing herein contained shall prevent the dispenser from buying liquors in bulk and bottling the same in the dispensary.

Section 2. That section 10 of said act be amended so as to read as follows: Section 10. Sixty per cent. of the net profits of the dispensaries in the city of Tusculumbia and the towns of Leighton and Cherokee, after deducting all expenses of operating the same, shall be applied and appropriated by the board of mayor and

aldermen or other legislative body of the city or town where a dispensary is located, for the use of the public schools, the erection of public school houses, the building of sewerage systems and the improvement of streets of said city or town. Provided, that out of said funds so received by said city or town from said source ample ~~provision shall first be made for the maintenance of the public schools of said city or town, and the remainder~~ of the sum shall be appropriated for the uses hereinabove set forth; but sixty per cent. of the net profits of the dispensary in the city of Sheffield, after deducting the expenses of operating the same, shall be applied and appropriated by the city council of Sheffield or other legislative body of said city of Sheffield for such municipal purposes as such legislative body may determine.

Section 3. Any dispenser, clerk or any other person employed in said dispensary who shall sell spirituous, vinous or malt liquors to any person who is under the influence of intoxicants shall be guilty of a misdemeanor and on conviction thereof shall be fined not less than five nor more than fifty dollars and may be sentenced to hard labor for the county for not more than three months.

Section 4. That said act be amended by adding thereto section 20 as follows: Section 20. The board of mayor and aldermen or other legislative body of the cities of Sheffield and Tuscumbia may establish the office of bookkeeper for the dispensaries in each of said cities, who shall be appointed by the mayor of said cities and confirmed by the board of aldermen. The persons appointed to hold said offices shall be competent and skillful and shall keep complete, accurate and full records and accounts of the business of the said dispensaries, and perform such other duties as may be prescribed by the board of mayor and aldermen. Said bookkeepers shall receive as compensation for their services not more than one hundred dollars per month.

John H. Peach.

The State of Alabama, }
Colbert County. }

Before me, U. G. Jones, a notary public in and for said State and county, personally appeared M. S. Hansbrough, who, being by me duly sworn, deposes and says that he is the business manager of the Tri-Cities Daily, a newspaper published in the said county and State, and that the above notice of proposed legislation, amending an act providing for the establishment of dispensaries in Sheffield, Tuscumbia, Leighton and Cherokee, in said county, was published once a week for four consecutive weeks in the said newspaper, beginning on the 11th day of June, 1907.

Sworn to and subscribed before me this the 10th day of July, 1907.

U. G. Jones,
Notary Public.

H. 1297. To fix the compensation to be allowed the sheriff of Butler county, Alabama, for empaneling grand juries, advertising and attending elections in Butler county, and for all other public services and official duties for the compensation of which no express provision of law is made.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Butler County. }

Before me, Bennie Williams, a notary public in and for said county and State, personally came J. B. Stanley, who, being by me first duly sworn, doth depose and say as follows, to-wit: That he is the editor and publisher of The Greenville Advocate, a weekly newspaper published at Greenville in said county and State; that the notice, a copy of which is hereinafter set out, was published in said Greenville Advocate for four consecutive weeks, begining on the 12th day of June, 1907.

NOTICE.

You will please take notice that a bill will be introduced at the adjourned term of the present session of the Legislature of Alabama, which convenes in Montgomery on July 9th, 1907, which bill will provide for the payment of five hundred dollars to the sheriff of ~~Butler county, Alabama, for empaneling grand juries,~~ advertising and attending to elections in Butler county, and for all other public service not otherwise provided for, the same to be paid out of the county treasury and to be paid by order of the court of county commissioners. This the 7th day of June, 1907.

-J. B. Stanley.

Sworn to and subscribed before me this 11th day of July, 1907.

Bennie Williams,
Notary Public.

H. 1259. To amend sections 4, 13, 20, 17, 24, 25 and by adding section 28 1-2 to the provisions of an act entitled "An act to provide a road law for the county of Marengo, and to enforce the same," approved February 26, 1907.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

An act to provide a road law for the county of Marengo, and to enforce the same passed by the late Legislature, will be amended at the July session of the Legislature as follows: That road superintendents shall be not less than 21 years of age. The ten days work on public roads to be performed at such times and places during the year as the road board may direct. The compensation of road superintendents not to exceed three dollars per day for actual service; the commutation fee may be paid in full at first warning or one-half at first warning, and the balance at second warning, at option of payer. The residents of towns who have paid

a street tax to be credited for not more than two dollars on road commutation or for the equivalent of two dollars in time if they have actually worked on the streets of their town, this provision to go into effect January 1st, 1908.

The superintendents may appoint a man to warn hands and give the warners credit on his road service for time taken to warn hands. The justice or judge collecting commutation fee to have 25 cents for each receipt of full payment of road fee, and 12 1-2 cents for each certificate where payment is divided.

. That twenty-five active members of any regular chartered fire company to be exempt from road duty, and to require, if the road board shall deem it expedient, the county treasurer to give bond as the custodian of the road fund.

The State of Alabama, }
Marengo County. }

Before me, Lamar Matkin, a notary public in and for said State and county, personally appeared B. H. Robertson, known to me to be the publisher of the Marengo Democrat, who, being duly sworn, deposes and says, that the hereunto attached notice was published for four consecutive weeks in The Marengo Democrat, a newspaper published weekly at Linden, Alabama.

B. H. Robertson,
Publisher Marengo Democrat.

Subscribed and sworn to before me this the 12th day of July, 1907.

Lamar Rankin,
Notary Public.

H. 1002. To amend section 4 of an act entitled, "an act to incorporate the town of Somerville, in Morgan county, Alabama," approved February 3rd, 1872.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
 Morgan County. }

Before me, J. C. Hogan, a justice of the peace in and for said county in said State, this day personally came J. A. West, known to me to be the editor and manager of the Hartselle Enquirer, a weekly newspaper, published in Hartselle, Morgan county, Alabama, who being by me duly sworn, deposes and says:

That he is the editor and manager of the Hartselle Enquirer, a weekly newspaper, published in Hartselle, Morgan county, Alabama, and that a notice was published, without cost to the State of Alabama, once a week for four consecutive weeks in said newspaper before the making of this affidavit, which notice was in words and figures as follows, to-wit:

NOTICE.

Notice is hereby given that a bill will be introduced at the adjourned session of the present Legislature which convenes on July 9th, 1907, to amend section 4 of an act entitled, an act to incorporate the town of Somerville in Morgan county, Alabama, so as to provide for an election of a mayor and four councilmen in said town on the first Monday in September, 1907, and every two years thereafter, and name judges for said election."

That said notice was published in said paper in the issues of June 13th, 20th, 27th, and July 4th, 1907.

J. A. West.

Subscribed and sworn to before me this the 8th day of July, 1907.

J. C. Hogan,
 Justice of the Peace.

H. 914. To vacate and annul those parts of avenues Nine and Ten, west, south of Ninth street, and those parts of Tenth, Eleventh and Twelfth streets, west of Eighth avenue, west, in the city of Cullman, Alabama.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

LEGAL NOTICE.

Notice is hereby given that application will be made at the present session of the Legislature of Alabama, when it convenes in July, 1907, for the passage of a bill in substance as follows, to-wit:

A BILL

To be entitled an act to vacate and annul parts of avenue Nine and Ten, west, south of Ninth street, and those parts of Tenth, Eleventh and Twelfth streets, west of Eighth avenue, west, in the city of Cullman, Alabama.

Section 1. Be it enacted by the Legislature of Alabama, That those parts of avenues Nine and Ten, west, south of Ninth street, and those parts of Tenth, Eleventh and Twelfth streets west of Eighth avenue, west, in the city of Cullman, Alabama, be and the same are hereby annulled, vacated and abolished as public streets or public highways, and the same shall forever cease to be public streets or highways, and the dedication thereof as such is hereby extinguished.

Section 2. That nothing herein contained shall have the effect to deprive any person, or corporation of any right of compensation under the constitution and laws of the State of Alabama for property taken, injured or destroyed.

The State of Alabama, }
Cullman County. }

Before me, Gault Campbell, a notary public, in and for said county and State, personally appeared J. W. Hewlett, who being first duly sworn, says that he is one of the editors and publishers of The Cullman Tribune, a weekly newspaper published in Cullman, Cullman county, Alabama, and that the notice, a true copy of which is hereto attached, was published in said newspaper of the following dates, viz.: May 17, 24, 31, and June 7, 1907.

J. W. Hewlett,
Editor and Publisher.

Sworn to and subscribed before me this 25th day of
June, 1907. Gault Campbell,
Notary Public.

H. 1244. To relieve and exempt the Alabama State Fair and Exhibit Association and all persons, firms or corporations who conduct business with said association on its fair grounds in Jefferson county during the annual fairs of said association from the payment of all State, county and municipal taxes and licenses.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that a bill will be introduced in the next Legislature of Alabama providing that no licenses or taxes of any character shall be required by State, county or municipality from the Alabama State Fair and Exhibit Association, or from those who conduct business under a contract with it on its grounds during the time its annual fair is actually in progress.
6-8-sat-4t

The State of Alabama, }
County of Jefferson. }

On this 6th day of July, A. D., one thousand nine hundred and seven, personally appeared before me, S. E. Thompson, a notary public in and for the county and State aforesaid, E. W. Ellis, who, being duly sworn according to law, declares that he is cashier of The Birmingham News, a newspaper published in the city of Birmingham, in the county of Jefferson, State of Alabama, and that the advertisement, notice of introduction of bill in Leg., a true copy of which is herewith attached, appeared in The Birmingham News on the following dates: June 8, 15, 22, 29, 1907.

E. W. Ellis.

Subscribed and sworn to before me this 6th day of
July, A. D., 1907. S. E. Thompson,
Notary Public.

H. 1223. To require the five thousand dollars required by section 25 of an act entitled "An act to establish, maintain, regulate and make efficient a dispensary for Madison county, Alabama, located in the city of Huntsville, approved the 7th day of February, 1907," to be paid over to the county superintendent of education of Madison county for the support of the public schools of the county, to be applied exclusively to the public schools of the county of Madison outside the city of Huntsville.

And sends the same to the Senate with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Madison County. }

Before me, W. F. Esslinger, a notary public in and for said State and county, this day personally appears R. L. O'Neal, who, being duly sworn, says that the following notice of intention to apply for local law, to-wit:

A BILL

To be entitled an act to require the five thousand dollars required by section 25 of an act entitled an act to establish, maintain, regulate and make efficient a dispensary for Madison county, Alabama, located in the city of Huntsville, approved the 7th day of February, 1907, to be paid over to the county superintendent of education of Madison county for the support of the public schools of the county, to be applied exclusively to the public schools of the county of Madison outside the city of Huntsville.

Be it enacted by the Legislature of Alabama:

1. That the five thousand dollars required by section 25 of an act entitled an act to establish, maintain, regulate and make efficient a dispensary for Madison county, Alabama, located in the city of Huntsville, approved the 7th day of February, 1907, to be paid over to the county superintendent of education of Madison county for the support of the public schools of the county, shall be ap-

plied exclusively to the public schools of the county of Madison outside the city of Huntsville.

2. All laws and parts of laws in conflict with the provisions hereof are repealed.

3. This act shall take effect immediately upon its passage.

Was published once a week for four consecutive weeks upon the following dates, to-wit: June 12th, 19th and 26th and July 3rd, 1907, in the Weekly Mercury, a newspaper published in said county of Madison, and that affiant is the editor and publisher of said newspaper.

R. L. O'Neal.

Sworn to and subscribed before me on this the 11th day of July, 1907.

W. F. Esslinger,
Notary Public.

H. 1218. To fix the time for the election of the solicitor of Jefferson county.

And sends the same to the Senate with notice and proof attached and herewith exhibited as follows:

Notice is hereby given that application will be made to the Legislature of Alabama, at the adjourned session thereof, to pass an act the substance of which is as follows:

A BILL

To be entitled an act to fix the time for the election of the solicitor of Jefferson county.

Section 1. Be it enacted by the Legislature of Alabama, That the solicitor of Jefferson county shall be elected at the general election held in the year 1910, and every four years thereafter, and shall hold office until his successor is elected and qualified.

The State of Alabama, }
Jefferson County. }

Before me, Jack T. Stallings, a notary public, personally appeared E. W. Jones, who, being duly sworn,

deposes and says that he is publisher and editor of the Jones Valley Times, a weekly newspaper published in said county, and that the publication of a certain bill, of which the bill attached is a true copy, has been made in said paper for four consecutive weeks, to-wit: on the 13th, 20th, and 27th days of June, 1907, and the 4th day of July, 1907.

E. W. Jones.

Sworn to and subscribed before me this 12th day of July, 1907.

Jack T. Stallings,
Notary Public.

H. 1291. For the relief of W. C. Evans, a confederate pensioner of Pickens county, Alabama.

And sends the same to the Senate with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that a bill will be introduced in the Legislature of Alabama in July, 1907, to appropriate the sum of sixty dollars from the State treasury for the relief of W. C. Evans, a needy confederate soldier, whose name was dropped from the pension roll of Pickens county, Alabama, during the year 1905 by error.

The State of Alabama, }
Pickens County. }

Personally appeared before me, L. C. Hudgins, judge of probate in and for said county and State, Marion Johnson, the publisher of the Alabamaian-Herald, who, being first duly sworn, doth depose and say that the above notice of a proposed bill to be introduced in the Legislature of Alabama, was published in the Alabamaian-Herald, a newspaper published in said county and State, once a week for four consecutive weeks prior to this date.

Marion Johnson.

Sworn to and subscribed before me this the 12th day of July, 1907.

L. C. Hudgins,
Judge of Probate.

H. 874. To provide for and regulate the compensation to be paid teachers in the public schools of Walker county, Alabama.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that at the present session of the Legislature of Alabama application will be made for the passage of an act providing substantially as follows:

A BILL

To be entitled an act to provide for and regulate the compensation to be paid teachers in the public schools of Walker county, Alabama.

Section 1. Be it enacted by the Legislature of Alabama, That the compensation to be paid teachers in the public schools of Walker county, Alabama, shall be fixed by the board of education of said county, except that as provided in section two hereof, teachers holding first grade certificates shall not be paid more than sixty dollars per month out of the school fund of said county, that teachers holding a second grade certificate shall not be paid more than forty-five dollars per month out of the public school fund, and teachers holding third grade certificates shall not be paid more than thirty dollars per month out of the public school fund.

Sec. 2. That the county board of education may make contracts with teachers to pay them in addition to the salaries provided for in section one hereof an amount not to exceed the rate of fifty cents per month for each child while in actual attendance at school.

Sec. 3. That before teachers shall be paid the salaries and compensation hereinabove provided for, they shall file with the superintendent of education of said county, a report in writing, setting forth the number of days he has taught school, during the month or quarter, the daily average attendance of scholars during such time, the number, age and name of scholars enrolled,

and the number of days attended by each scholar during each month of the term for which payment is to be made, which report shall be sworn to and subscribed by the teacher making the same.

Sec. 4. That any teacher who willfully makes a false report as to any of the matter required in section 3 hereof, shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than fifty nor more than five hundred dollars, and shall forfeit his contract and his license shall be cancelled.

R. A. O'Rear.

The State of Alabama, }
Walker County. }

Before me, C. L. Norvell, a notary public in and for said county and State, personally appeared W. R. Richardson, who being by me duly sworn, deposes and says, that he is the manager of The Mountain Eagle, a weekly newspaper published in said Walker county, Alabama, that he has personal knowledge that the attached notice to "provide for and regulate the compensation to be paid teachers in the public schools of Walker county, Alabama," has been published in said Mountain Eagle for four consecutive weeks, commencing the 9th day of January, 1907.

W. R. Richardson,
Manager.

Sworn to and subscribed before me this 27th day of February, 1907.

C. L. Norvell,
Notary Public.

H. 1169. To establish an inferior court in precinct No. 10, in Morgan county, Alabama, in lieu of all justices of the peace and notaries public with powers of justices of the peace in said precinct, and to define the jurisdiction and powers of said court and the judge thereof.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
 Morgan County. }

Before me, J. C. Hogan, a justice of the peace in and for said county in said State, this day personally came Emmett Gray, known to me to have been, during the months of January and Feby, 1907, editor and manager of the Hartselle Enquirer, a weekly newspaper published in ~~Hartselle, Morgan county, Alabama~~, who, being by me duly sworn, deposes and says: That he was during the months of January and February, 1907, editor and manager of the Hartselle Enquirer, a weekly newspaper published in Hartselle, Morgan county, Alabama, and that a notice was published, without cost to the State of Alabama, once a week for four consecutive weeks in said newspaper before the making of this affidavit, which notice was in words and figures as follows, to-wit:

NOTICE.

To whom it may concern:

Notice is hereby given that a bill will be introduced in the Legislature of Ala., (session of 1907) the substance of which will be to create a court of inferior jurisdiction in precinct number ten (No. 10) of Morgan county, Alabama, in lieu of all justices of the peace and notaries public, ex-officio justices of the peace, in said precinct; to provide a judge of said court, defining their jurisdiction, and prescribing salaries or compensation of said judge or judges; also a bill will be introduced in said session of the Legislature of Alabama, the substance of which will be the abolition of the office of notaries public, and ex-officio justices of the peace, in precinct ten (10) of Morgan county, Alabama.

That said notice was published in said paper in the issues of January 17th, 24th, 31st and February 7th, 1907.

Emmett H. Gray.

Subscribed and sworn to before me this—day of July, 1907.

J. C. Hogan,
 Justice of the Peace.

H. 1295. To fix the compensation to be allowed the sheriff of Butler county, Alabama, for services rendered by the sheriff of Butler county, Alabama, in the county court of Butler county, and to provide for the payment of said compensation.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Butler County. }

Before me, Bennie Williams, a notary public in and for said county and State, personally came J. B. Stanley, who, being by me first duly sworn, doth depose and say as follows, to-wit: That he is the editor and publisher of The Greenville Advocate, a weekly newspaper published at Greenville in said county and State; that the notice, a copy of which is hereinafter set out, was published in said Greenville Advocate for four consecutive weeks beginning on the 12th day of June, 1907.

NOTICE.

You will please take notice that a bill will be introduced at the adourned term of the present session of the Legislature of Alabama, which convenes in Montgomery on July 9th, 1907, which bill will provide that the sheriff of Butler county, Alabama, shall be entitled to and receive the same fees for services rendered in the county court of Butler county as the sheriff of Butler county, Alabama, is entitled to and receives for same services rendered in the circuit court of Butler county, Alabama, said fees to be taxed and paid in the same manner as now prescribed by law for services rendered by the sheriff of Butler county, Alabama, in the circuit court of Butler county, Alabama. This the 7th day of June, 1907.

J. B. Stanley.

Sworn to and subscribed before me this 11th day of July, 1907. Bennie Williams,
Notary Public.

H. 1170. To provide for the payment of outstanding claims against the fine and forfeiture fund of Morgan county; to provide for the issuing and payment of all witness certificates in behalf of the State out of the fine and forfeiture fund, authorize and direct the county treasurer to appropriate and transfer from the general funds of the county to the fine and forfeiture fund a sufficient amount to pay said witness certificates and to provide for quarterly reports of the condition of said funds.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Morgan County. }

Before me, J. C. Hogan, a justice of the peace in and for said county in said State, this day personally came J. A. West, known to me to be the editor and manager of the Hartselle Enquirer, a weekly newspaper published in Hartselle, Morgan county, Alabama, who, being by me duly sworn, deposes and says: That he is editor and manager of the Hartselle Enquirer, a weekly newspaper published in Hartselle, Morgan county, Alabama, and that a notice was published, without cost to the State of Alabama, once a week for four consecutive weeks in said newspaper before the making of this affidavit, which notice was in words and figures as follows, to-wit:

NOTICE.

Notice is hereby given that a bill will be introduced at the adjourned session of the present Legislature, which convenes July 9th, 1907, which will provide:

1st. For the payment of all outstanding claims against the fine and forfeiture fund of Morgan county in the order in which said claims are registered, one-half of the funds coming into the fine and forfeiture fund to be used for said purpose.

2nd. For the payment of witness certificates issued to witnesses in behalf of the State for attendance at circuit court, Morgan county law and equity court, county

court and before the grand juries of said county, and to provide for and regulate the issuing of said witness certificates.

3rd. Said witness certificates to be paid from the funds in the fine and forfeiture fund not used for the payment of outstanding claims provided for above.

4th. Authorize and direct the county treasurer to transfer and appropriate from the general funds of the county a sufficient amount, from time to time, as may be necessary, together with the other funds in the fine and forfeiture fund to pay said witness certificates immediately upon presentation by the witness in person, and to authorize the county treasurer to refund to the general county fund, from the fine and forfeiture fund and the amount so appropriated, if at any time the fine and forfeiture fund should be greater than required to discharge all claims against the same.

5th. For quarterly reports of condition and disposition of said fine and forfeiture fund to the commissioners' court of said county by the county treasurer.

(Signed) Jno. R. Sample.

That said notice was published in said paper in the issues of June 20th, 27th, July 4th, and 11th, 1907.

J. A. West.

Subscribed and sworn to before me this July 12th, 1907.

J. C. Hogan,

Justice of the Peace.

H. 955. To amend an act entitled "an act to regulate the city court of Birmingham in the practice and procedure in said court; to provide judges thereof, their election, term of office, removal, power and salary; for the election, term of office, bond, removal, and duties of the clerk and register thereof; and to provide suitable court rooms and places, dockets, stationery, and other supplies for the holding of said court," approved February 26th, 1907.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that at the adjourned session of the legislature of Alabama, which will convene in July, 1907, a bill in substance as follows will be introduced for passage.

A bill to be entitled an act to amend an act entitled "An act to regulate the city court of Birmingham, in the practice and procedure in said court; to provide for judges thereof, their election, term of office, removal, power and salary; for the election term of office, bond, removal, and duties of the clerk and register thereof; and to provide suitable court rooms and places, dockets, stationery and other supplies for the holding of said court," approved February 26, 1907.

Section 1. Be it enacted by the legislature of Alabama, That section 3 of an act entitled "an act to further regulate the city court of Birmingham, Alabama, in the practice and procedure in said court; to provide judges thereof, their election, term of office, removal, power and salary; for the election, term of office, bond, removal and duties of the clerk and register thereof; and to provide suitable court rooms and places, dockets, stationery and other supplies for the holding of said court," approved February 26th, 1907, be and the same is hereby amended so that the said section 3 shall read as follows:

Section 3. At the general election to be held in this State in the year 1910, and every six years thereafter the clerk and register of said city court of Birmingham shall be elected by the qualified electors of the county of Jefferson, whose term of office shall be for six years and until his successor is elected and qualified. Such clerk and register may be removed from office for such causes and in such manner, as is or may hereafter be provided by law for the removal of clerks of the circuit court, or for any cause which, in the opinion of said judges or a majority of them, may be sufficient for his removal; in the case of his removal, the cause thereof must be spec-

ified in the order removing him. Before entering upon the discharge of the duties pertaining to his office, such clerk and register shall give bond with sureties, to be approved by the judge of probate, in a sum of not less than twenty thousand dollars, to be fixed by said judges, which bond must be made payable and be conditioned, filed and recorded as required by law as in case of bond of the clerks of the circuit court. Such clerk and register shall have all the powers and perform all the duties which may be now or may hereafter be lawfully exercised or performed by the clerk of the circuit courts and the registers in chancery in this State, including the power to issue attachments and all other extraordinary process. The fees of such clerk and register shall be the same as those now allowed, or which may hereafter be allowed, by law in like cases and for like services to clerks of the circuit courts and registers in chancery in this State; and he and the sureties on his official bond shall be subject, where he is acting as clerk on the law side of said court, to the same liabilities and penalties as the clerks of the circuit courts and their sureties are now or may hereafter be subject by law; and when acting as register on the equity side of said court, he and his sureties shall be subject to the same liabilities and penalties as registers in chancery and their sureties are now or may hereafter be subject by law; such liabilities and penalties to be enforced by the same remedies and in the same manner as the like liabilities and penalties of and against clerks of the circuit courts and registers in chancery in this State are now or may hereafter be by law enforced. Such clerk and register shall reside during his continuance in office in the county of Jefferson.

The clerk and register of said city court of Birmingham may, upon the approval of this act, and from time to time as a vacancy may occur, and for whose official acts he shall be responsible, appoint a special deputy clerk and register of said court, who shall have all the powers and perform concurrently with the clerk and register of said city court of Birmingham all the duties now lawfully exercised by said clerk and register of said court in matters pertaining to chancery, which powers

shall be exercised and duties performed in term time or vacation, except such deputies shall have none of the powers and shall perform none of the duties of register in chancery in regard to receiving and paying out moneys or approving bonds. The compensation of such deputy shall be fixed and paid by the clerk and register of said court. ~~The clerk and register of said court shall~~ be entitled to the same fees as he is allowed or may hereafter be allowed by law in like cases and for like services to register in chancery for all duties performed by such deputy clerk and register. Said deputy clerk and register shall be subject to removal at any time by the clerk and register of said city court of Birmingham for or without cause.

From and after the passage of this act, the clerk and register and the deputy clerk and register of said court shall have power to exercise and perform all the duties and functions conferred upon them by law, and on any day in term time or vacation either of them shall have the power to grant and enter decrees pro confesso and any and all other degrees and orders which either of them may by law grant or enter.

The State of Alabama, }
Jefferson County. }

Before me, Paul A. Savage, deputy clerk and register of the city court of Birmingham, in and for said State and county, personally appeared A. J. O'Keefe, who being duly sworn, deposes and says that he is the editor of the Birmingham Republican, a newspaper of general circulation published in the city of Birmingham, Jefferson county, Alabama, and the notice, a copy of which is hereto attached, was published once a week for four consecutive weeks in the Birmingham Republican.

A. J. O'Keefe.

Sworn to and subscribed before me this the 6th day of July, 1907.

Paul A. Savage,
Deputy Clerk and Register.

H. 1298. To authorize and empower the court of county commissioners of Butler county to contract for and place in the office of the various officers of said county, telephones, writing machines and other mechanical devices as in the opinion of the said court of county commissioners is necessary or expedient and to contract for and place in the jail and poor houses of said county such telephones as may be necessary.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Butler County. }

Before me, Bennie Williams, a notary public in and for said county and State, personally came J. B. Stanley, who, being by me first duly sworn, doth depose and say as follows, to-wit: That he is the editor and publisher of The Greenville Advocate, a newspaper published at Greenville in said county and State; that the notice, a copy of which is hereinafter set out, was published in said Greenville Advocate for four consecutive weeks, beginning on the 12th day of June, 1907.

NOTICE.

You will please take notice that a bill will be introduced at the adjourned term of the present session of the Legislature of Alabama, which convenes in Montgomery on July 9th, 1907, which bill will provide that the court of county commissioners of Butler county, Alabama, be authorized and empowered to contract for and place in the offices of the various officers of said county who have their offices in the court house, such telephones, writing machines and other mechanical devices as in the opinion of said court is necessary or expedient; and the said court be further authorized and empowered to contract for and place in the jail and poor house of said county, such telephones as they may deem necessary. This the 7th day of June, 1907.

J. B. Stanley.

Sworn to and subscribed before me this 11th day of
July, 1907. Bennie Williams,
Notary Public.

H. 1126. To amend Sec. 28 of an act entitled "An act to establish the city court of Bessemer," approved February 28th, 1901.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that a bill will be introduced at the present session of the Legislature of Alabama to amend section 28 of an act entitled an act to establish the city court of Bessemer, approved February 21, 1901, so as to require the solicitor of said court to be elected by the people of the territory over which said court has jurisdiction instead of to be appointed by the solicitor of Jefferson county; and to increase the salary of said solicitor from \$1200 to two thousand dollars per annum.

The State of Alabama, }
Jefferson County. }

Before me, E. L. Huey, a notary public in and for said county, in said State, personally appeared Wm. H. H. Judson, who, being duly sworn, doth depose and say: I am the editor and proprietor of the "Bessemer Weekly," a newspaper published at Bessemer, Alabama; the foregoing notice hereto attached was published in the "Bessemer Weekly," a newspaper published at Bessemer, Alabama, once a week for four consecutive weeks; on the following dates, to-wit: beginning with the issue of December 29, 1906. Wm. H. H. Judson.

Subscribed and sworn to before me this 10th day of
July, 1907. E. L. Huey,
Notary Public.

H. 1299. To fix the compensation to be allowed the circuit clerk of Butler county, Alabama, for all official duties not otherwise provided for.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabam, }
Butler County. }

Before me, Bennie Williams, a notary public in and for said county and State, personally came J. B. Stanley, who, being by me first duly sworn, doth depose and say as follows, to-wit: That he is the editor and publisher of The Greenville Advocate, a weekly newspaper published at Greenville in said county and State; that the notice, a copy of which is hereinafter set out, was published in said Greenville Advocate for four consecutive weeks, beginning on the 12th day of June, 1907.

NOTICE.

You will please take notice that a bill will be introduced at the adjourned term of the present session of the Legislature of Alabama, which convenes in Montgomery on the 9th day of July, 1907, which bill will provide for the payment to the clerk of the circuit court of Butler county, Alabama, the sum of five hundred dollars for performing official duties not otherwise provided for, said sum to be paid from the county treasury and to be paid and allowed by the court of county commissioners. This the 7th day of June, 1907.

J. B. Stanley.

Sworn to and subscribed before me this 11th day of July, 1907.

Bennie Williams,
Notary Public.

H. 1191. To provide that the sheriff of Bullock county, Alabama, shall receive for empaneling grand juries, advertising and attending all elections in his county, and for all other public service not otherwise provided for, such sum as may be allowed by the court

of county commissioners, to be paid out of the county treasury, not exceeding five hundred (\$500.00) dollars per annum.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that at the adjourned session of the present Legislature of Alabama, which convenes on, to-wit, July the 9th, 1907, application will be made to have enacted for Bullock county the following local laws, to-wit:

An act to provide that the sheriff of Bullock county, Alabama, shall receive for "impaneling grand juries, advertising and attending all elections in his county, and for all other public service otherwise provided for, such sum as may be allowed by the court of county commissioners, to be paid out of the county treasury, not exceeding five hundred (\$500.00) dollars per annum."

Second—An act to allow the sheriff of Bullock county for fees for attendance upon the trial of any habeas corpus case before any judge or court the sum of \$2.00 per day.

An act to provide for the payment by the court of county commissioners out of the county treasury for the removal of persons charged with misdemeanors the same fees, mileage and per diem as are now provided by law for the removal of persons charged with felonies.

June 3, 1907.

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The State of Alabama, }
Bullock County. }

Before me, Ernest L. Blue, a notary public for said State and county, personally appeared P. F. Miles, known to me, who, being first duly sworn, deposes and says on oath, that he is the editor of the Union Springs Herald, a newspaper published in Bullock county, Alabama, and that for four consecutive weekly issues of said paper prior to this date, the first issue of which is

more than thirty days last past, the above notice duly appeared. P. F. Miles.

Sworn to and subscribed before me this the 8th day of July, 1907. Ernest L. Blue,
Notary Public.

H. 1256. For the improvement of the public roads of Lowndes county.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that I will introduce and seek to have passed, at the adjourned term of the present Legislature, a bill to provide for the improvement of the public roads of Lowndes county, which bill will,

First. Create the office of and provide for the election of a road-supervisor for Lowndes county, fix his salary and prescribe his duties.

Second. Provide for compensation for public road overseers and enlarge their duties.

Third. Provide for the levying of a tax of two and one-half (2 1-2) mills, and a tax on vehicles, to provide a fund to be applied to the improvement of the public roads of Lowndes county. J. A. Coleman.

The State of Alabam, }
Lowndes County. }

Before me, J. C. Wood, probate judge of Lowndes county, Ala., Mrs. Estelle Garrett personally appeared, and being by me duly sworn, deposes and saith on oath that she is the publisher and proprietess of the Citizen-Examiner, a newspaper published in said county, who, being duly sworn, says on oath, that the foregoing notice was published in said paper for four successive weeks, ending June 20th, 1907.

Mrs. Estelle Garrett, Affiant.

Subscribed and sworn to before me this the 6th day of July, 1907. J. C. Wood,
Judge of Probate.

H. 1255. To require each and every person who peddle, or who travel and sell at retail medicine of any kind, dry goods, notions, bibles or books, secular or religious, in Lowndes county, Alabama, to pay a license tax of seven hundred and fifty dollars, and to provide a penalty for a violation thereof.

~~And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:~~

NOTICE.

Notice is hereby given that I will introduce and seek to have passed at the adjourned term of the present Legislature, a local bill for Lowndes county, requiring all persons who peddle or who travel and sell at retail any medicine, dry goods, notions, bibles or books, secular or religious, to pay a license tax of not less than seven hundred and fifty (\$750.00) dollars, and to provide a penalty for the violation thereof.

D. F. Crum.

AFFIDAVIT.

The State of Alabama, }
Lowndes County. }

Before me, J. C. Wood, judge of probate of said county, personally appeared Mrs. Estelle Garrett, publisher and proprietess of the Citizen-Examiner, a newspaper published in said county, who, being duly sworn, says on oath, that the foregoing notice was published in said paper for four successive weeks, ending June the 20th, 1907.

Witness this the 6th day of July, 1907.

Mrs. Estelle Garrett, Affiant.

Sworn to and subscribed before me this the 6th day of July, 1907.

J. C. Wood,
Judge of Probate.

H. 1292. To require the court of county commissioners of Baldwin county to let to the lowest bidder, after due notice by publication, the road and bridge contracts

in Baldwin county, provided, said bidder gives bond for the faithful performance of contract.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that a bill will be introduced in the next Legislature of Alabama to require the court of county commissioners to let to the lowest bidder, after due notice by publication, the road and bridge contracts in Baldwin county, provided said bidder gives bond for faithful performance of contract.

The State of Alabama, }
Baldwin County. }

W. C. Dinwiddie, being duly sworn, deposes and says that he is the publisher of The Baldwin Times, a weekly newspaper published at Bay Minette, Baldwin county, Alabama, that the notice of a bill to be introduced in Ala. Legislature requiring contracts to be given lowest bidder, etc., a copy of which is hereto attached, was printed in said paper for four consecutive weeks, beginning with the issue dated 20th day of Dec., 1906.

W. C. Dinwiddie.

Subscribed and sworn to before me, this 13th day of July, 1907.

James M. Voltz,

Clerk of the Circuit Court of Baldwin Co., Ala.

H. 1091. To repeal an act entitled "An act to provide for and regulate the issuance of licenses for the sale of vinous, spirituous, and malt liquors to hotel owners, keepers or lessees, in beat 1, Blount Springs precinct, in the county of Blount, State of Alabama.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE OF LOCAL ACT.

To whom it may concern:

Notice is hereby given that there will be introduced at the present session of the Legislature of Alabama a

bill to be entitled an act to repeal "An act to provide for and regulate the issuance of licenses for the sale of vinous, spirituous and malt liquors to hotel owners, keepers or lessees, in beat 1, Blount Springs precinct, in the county of Blount and State of Alabama, which said act was approved March 1st, 1901.

The State of Alabama, }
Blount County. }

Personally appeared before me, the undersigned authority, F. G. Stephens, publisher of the Southern Democrat, a weekly newspaper published in said county, and after being sworn, states that notice was given in his said paper of the intention to introduce at the present session of the Legislature of Alabama, a bill to be entitled "An act to repeal an act to provide for and regulate the issuing of license for the sale of vinous, spirituous and malt liquors to hotel owners, keepers or lessees in beat one, Blount Springs precinct, in the county of Blount and State of Alabama, which said act was approved March the 1st, 1901." Said notice having been given for four consecutive weeks beginning with January 24, 1907.

F. G. Stephens.

Sworn to and subscribed before me this July 9, 1907.

John F. Kelton,
Judge of Probate.

H. 1001. To amend section 1 of an act entitled "an act to establish a new charter for the town of Hartselle, in Morgan county," approved February 18th, 1899.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Morgan County. }

Before me, J. C. Hogan, a justice of the peace in and for said county in said state, this day personally came J. A. West, known to me to be the editor and manager of the Hartselle Enquirer, a weekly newspaper, publish-

ed at Hartselle, Morgan county, Alabama, who being by me duly sworn, deposes and says:

That he is the manager and editor of the Hartselle Enquirer, a weekly newspaper, published in Hartselle, Morgan county, Alabama, and that a notice was published, without cost to the State of Alabama, once a week for four consecutive weeks before the making of this affidavit, which was in words and figures as follows, to-wit:

NOTICE.

Notice is hereby given that a bill will be introduced at the adjourned session of the present legislature, which convenes on July 9th, 1907, to amend section 1 of an act entitled, an act to establish a new charter for the town of Hartselle, in Morgan county, approved February 18th, 1899, so that said section 1 of said act will read as follows:

Section 1. Be it enacted by the Legislature of Alabama, that the town of Hartselle, be, and the same is hereby incorporated, and the corporate limits of said town shall embrace and include all of the territory within the N. W. 1-4 of section 14, the S. W. 1-4 of section 11, the S. E. 1-4 of section 10, and the N. E. 1-4 of section 15, township 7, range 4 west, Morgan county, Alabama."

That said notice was published in said paper in the issues of June 13th, 20th, 27th, and July 4th, 1907.

J. A. West.

Subscribed and sworn to before me this 8th day of July, 1907.

J. C. Hogan,
Justice of the Peace.

H. 999. To repeal an act entitled, "an act to authorize and empower the Decatur Land Co. a corporation," to list certain of its lands to the tax assessor of Morgan county, in acreage, approved December 13th, 1900.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
 Morgan County. }

Before me, J. C. Hogan, a justice of the peace in and for said county in said State, this day personally came J. A. West, known to me to be the editor and manager of the Hartselle Enquirer, a weekly newspaper, published in Hartselle, Morgan county, Alabama, who being by me ~~duly sworn, deposes and says:~~

That he is the editor and manager of the Hartselle Enquirer, a weekly newspaper, published in Hartselle, Morgan county, Alabama, and that a notice was published, without cost to the State, once a week for four consecutive weeks in said newspaper before the making of this affidavit, which notice was in words and figures as follows, to-wit:

NOTICE.

Notice is hereby given, that a bill will be introduced at the adjourned session of the present legislature, which convenes July 9th, 1907, which will repeal the act entitled, an act to authorize and empower the Decatur Land Company, a corporation, to list certain of its land to the tax assessor of Morgan county in acreage. Approved December 13th, 1900. Acts of 1900-01, page 641.
 (Signed) Jno. R. Sample."

That said notice was published in said paper in the issues of June 13th, 20th, 27th, and July 4th, 1907.
 J. A. West.

Subscribed and sworn to before me this the 8th day of July, 1907.

J. C. Hogan, Justice of the Peace.

H. 1013. To provide for the payment out of the county treasury of Shelby county, Alabama, the sum of \$336.91 as the salary or compensation and expenses of the State examiner while engaged in making an examination of books and accounts of the various county officers of said county of Shelby as they pertain to the

county affairs and to make said claim a preferred claim against said treasury.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that a bill will be introduced in the present session of the Legislature of Alabama, upon its reassembling after the pending recess, providing for the payment out of the county treasury of Shelby county, Alabama, the sum of \$336.91 or so much thereof as may be necessary as salary or compensation and expenses of the State examiner while engaged in making the recent examination of the books and accounts of the various officials of the said county of Shelby, as they pertain to the county affairs and to make said claim a preferred claim against said treasury of said county, and providing for its payment.

Said examination beginning on the 26th day of March and ending on the 7th day of June, 1907.

This June 4th, 1907.

The State of Alabama, }
Shelby County. }

I, J. A. MacKnight, ereby certify that I am editor and proprietor of the Columbiana Sentinel, a newspaper published in Shelby county, Alabama, that the hereto attached notice was published in said newspaper for four consecutive weeks, and the said issues in which said notice was published being the ones dated June 6th, June 13th, June 20th, June 27th, 1907.

J. A. MacKnight,
Editor and Proprietor.

Sworn to and subscribed before me on this the 28th day of June, 1907.

J. R. White,
Register in Chancery.

H. 1196. To amend section thirteen of an act to establish, maintain and regulate a dispensary in the town of Marion, Perry county, Alabama, for the sale of spirituous, or vinous liquors, malt liquors, wines, ciders, or other intoxicating liquors, and to establish a board of directors for the purpose of better controlling and managing the sale of spirituous, or vinous liquors, malt liquors, wines, ciders, or other intoxicating liquors, and for other purposes, approved February 8th, 1901.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Perry County. }

Before me, J. B. Shivers, judge of probate in and for said county and State, personally appeared C. H. Greer, who, first being duly sworn, doth depose and says as follows: That he is the owner, editor and publisher of the Marion Standard, a weekly newspaper published in Marion, Perry county; that the attached notice was published in said newspaper four consecutive weeks, beginning on Feby. 21st, 1907.

Chas. H. Greer.

Sworn to and subscribed before me this the 27th, 1907.

J. B. Shivers,

Judge of Probate, Perry Co., Ala.

NOTICE.

The State of Alabama, }
Perry County. }

Application will be made to the Legislature of Alabama at the present session thereof, for the passage of a bill to be entitled "An act to amend section thirteen of 'An act to establish, maintain and regulate a dispensary in the town of Marion, Perry county, Alabama, for the sale of spirituous or vinous liquors, malt liquors, wines, ciders or other intoxicating liquors, and to establish a board of directors for the purpose of better controlling and managing the sale of spirituous or vinous liquors, malt liquors, wines, ciders or other intoxicating liquors

and for other purposes," approved February the 28th, 1901, so as to provide that on and after the first day of October, 1907, one-half of the net proceeds arising from the sales in said dispensary shall be paid to the county treasurer of Perry county, Alabama, for the use of Perry county, to be set apart exclusively for working and repairing the public roads of Perry county, Alabama; that the other one-half of the net proceeds of said dispensary shall be paid to the mayor and council of the town of Marion, and to provide for semi-annual settlements with the board of directors, and to empower and authorize the court of county commissioners of Perry county, Alabama, to examine and audit the accounts of said dispensary.

George P. White.

H. 1308. To amend sections 1, 2, 6, 7, 9, 10, 11, 15, 24, 25 and 38 of an act entitled an act to amend an act entitled an act to better provide for establishing, working and maintaining the public roads and bridges in Walker county, Alabama, approved March 6th, 1903.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that, at the adjourned session of the Legislature of Alabama, application will be made for the passage of an act providing substantially as follows:

A BILL

To be entitled an act to amend sections 1, 2, 6, 7, 9, 10, 11, 15, 24, 25, 38 and 39 of an act entitled an act to amend an act entitled an act to better provide for establishing, working and maintaining the public roads and bridges in Walker county, Alabama, approved March 6, 1903.

Section 1. Be it enacted by the Legislature of Alabama, That section 1 of the above entitled act be amended so as to read as follows:

Section 1. That the commissioners' court of Walker county shall in each year at the first regular meeting, set apart three-fifths of all special taxes levied and collected in the county other than special school taxes, which taxes when so set apart shall be used exclusively for aiding in the establishment, construction and maintaining of the public roads in said county. The funds ~~so set apart to be kept separate from the other funds~~ of the county by the county treasurer, provided that for the purpose of repairing public bridges in the county, the commissioners' court may appropriate an amount not exceeding \$2,000 per annum out of said funds for such purposes. And provided further that said commissioners' court at said meeting shall apportion the said funds, together with all other monies collected for road purposes, to the various precincts in such manner as they think proper, and shall file a copy of such order with the county treasurer.

Section 2. That section 2 of said act be amended so as to read as follows:

Section 2. That the amount so set apart, together with all monies collected for road purposes, including all fines and penalties imposed and collected for violations of this act, shall be divided among the several precincts of said county at the term of commissioners' court held the second Monday in June of each year, according to the number of roads and importance of same; such fund when so apportioned by the court of county commissioners shall be entered to the credit of the respective road precincts by the county treasurer, in account to be kept by him for that purpose.

Section 3. That section 6 of said act be amended so as to read as follows:

Section 6. The precinct superintendents, if there be such, shall receive as compensation \$25.00 per year to be paid at the August term of the commissioners' court; and may also be allowed ~~such sum as the commissioners'~~ court may agree upon, not to exceed ten per centum of all collections of per capita tax and not more than five per cent of all disbursements made by him, provided

that the commissioners' court may pay such supervisor more, if necessary to obtain a suitable person.

Section 4. That section 7 of said act be amended so as to read as follows:

Section 7. That all male persons in Walker county, over the age of eighteen years and under the age of forty-five years, shall be required to work the public roads six days in each year, provided that the labor may be commuted by paying to the supervisors or other persons appointed by the commissioners to collect the money, sum of \$3.00 on or before the first day of March of each year, or by paying the sum of \$4.00 to such person any time after the first day of March of each year and within two days after being warned to work the roads; provided further, that any person who has lost an arm or leg and all persons who by nature or disease are rendered incapable of hard labor who shall secure a certificate of such incompetency from the county board of health are exempt from road duty, provided such road hand delivers such certificate to the road overseer or person under whom he is to work the road within two days after having been warned to work.

Section 5. That section 9 of said act be amended so as to read as follows:

Section 9. That each supervisor or other person appointed by the court of county commissioners to superintend the working of the public road in road precincts shall make settlement with the treasurer within ten days after the first day of each month for the amount of money collected by him during the preceding month.

Section 6. That section 10 of said act be amended so as to read as follows:

Section 10. That each supervisor or person appointed to superintend the working of the public roads shall keep a correct record of all official business done by him, showing the amount of money collected by him from whom such monies were collected and to whom and for what purpose the same has been paid out and shall make a report of the same to the court of county commissioners at any regular or special term of said court. At the September term of said court such per-

son or persons shall present an itemized statement in writing duly verified, showing how the money apportioned to his or their precinct has been expended and the amount he then has on hand, and the number and value of tools on hand; and an itemized statement or report of the condition of the roads in his precinct; a ~~copy of said statement together with an itemized statement~~ of all per capita tax collected shall be posted by each supervisor at the polling place in the precinct subject to the inspection of the tax payers and the road hands of their respective precincts; all of such reports and statements shall be recorded by the probate judge in a book kept by him for that purpose.

Section 7. That section 11 of said act be amended so as to read as follows:

Section 11. It shall be the duty of each precinct supervisor or other person appointed by the court of county commissioners to supervise the working, building or repairing of the public roads in any precinct or precincts of the county, to personally superintend, supervise, direct and inspect the manner and method by which the public roads are worked and he shall appoint good and intelligent overseers in their respective precincts and shall furnish the names to the judge of probate the first day of March, and the judge of probate shall commission them, as now provided by law, and the said supervisors shall apportion to his overseers in his precinct all public roads to be worked, subdividing them so as to make them as near as possible, taking into consideration the general condition of the roads and their importance to the public, and he shall apportion the hands in his precinct subject to road duty to the various overseers and deliver to each overseer a list of the hands apportioned to him for road service. Each supervisor shall report at the fall term of the grand jury ~~the condition of the public roads in his precinct and~~ the name of any overseer in his precinct whose road is in bad condition; that any supervisor appointed to superintend the working, building and repairing of the public road or to collect the per capita tax provided for herein, who shall neglect his duties or fail to carry out

the provisions of this act, shall be guilty of a misdemeanor, and on conviction shall be fined not less than \$10.00 nor more than \$100.00 and may also be imprisoned in the county jail or sentenced to hard labor for not more than six months.

Section 8. That section 15 of said act be amended so as to read as follows:

Section 15. The overseers when appointed shall hold office for the period of two years and shall be paid the sum of \$2.00 a day for each day's work, provided, however, that road overseers shall work six days as other road hands, unless such work has been commuted by the payment of the amount as is required of other road hands; that any road overseer who neglects his duty or fails to perform the acts herein required of him shall be guilty of a misdemeanor and on conviction shall be fined not less than \$10.00 nor more than \$100.00 and may also be imprisoned in the county jail or sentenced to hard labor for the county for not more than six months.

Section 9. That section 24 of said act be amended so as to read as follows:

Section 24. That all public roads in the county shall be worked prior to September first of each year, and oftener if the roads at any time become washed or out of repair, and should the public road or roads get out of repair and need working, it shall be the duty of the road overseer to repair the same immediately at the expense of the county, and for failure to do so shall be guilty of a misdemeanor and be fined not less than \$10.00 nor more than \$100.00.

Section 10. That section 25 of said act be amended so as to read as follows:

Section 25. That day labor shall be paid not more than \$1.50 per day; that single teams with drivers shall not be paid more than \$3.00 and double teams with drivers shall not be paid more than \$3.50 per day.

Section 11. That section 38 of said act be amended so as to read as follows:

Section 38. That the court of county commissioners shall have supervision and control over all persons en-

gaged in working, building or repairing the public roads of Walker county and shall have full power and authority to have any or all of the public roads worked in such manner as will in their judgment bring the best results and to that end may let out any of such roads to contractors, provided that when contracts are made for working roads the person or persons entering into such contract shall make and execute a good and sufficient bond, payable to Walker county, conditioned to work and build the roads, according to the plans and specifications set out in such contract, and the persons contracting to do such work shall not be paid for the same until the road or roads so worked have been received and the work approved by the court of county commissioners. Such contractors shall have the same powers and authority over road hands as is given road overseers. It shall be optional with the court of county commissioners whether there shall be precinct supervisors or overseers in any road precinct in the county or whether the same shall be worked by day laborers or by contract and the court of county commissioners shall have authority to hire and employ some competent and experienced person to supervise and superintend the working, repairing and building of all the county roads in the county and such person if appointed shall have authority over all road supervisors, overseers, contractors and hands and they shall be subject to his direction and control while engaged in working the roads and if appointed he shall be paid such salary as the court of county commissioners may agree upon not to exceed \$100.00 per month.

Section 12. That section 39 be amended so as to read as follows:

Section 39. That the court of county commissioners shall set apart, devote and appropriate out of the public road funds of the county, not less than seven thousand, five hundred dollars per year, the whole of which shall be used in building and constructing permanent roads, and the road or roads upon which the money provided for in this section shall be first mapped and surveyed by some competent civil engineer and the

same shall be worked according to the specifications adopted by the commissioners' court and shall be built and worked either by contract or under the direction of county commissioners.

The State of Alabam, }
Walker County. }

I, James R. Gunter, editor the Mountain Eagle, a weekly newspaper published in Jasper, Walker county, Alabama, do hereby certify that the notice of the intention to introduce a bill in the Legislature of Alabama to amend certain sections of an act entitled an act to better provide for establishing, working and maintaining the public roads and bridges of Walker county, Alabama, a copy of which notice is hereto attached, was published in said newspaper once a week for four (4) consecutive weeks, beginning June 19, 1907, and ending July 10, 1907.

James R. Gunter.

Sworn to and subscribed before me this July 15, 1907.

R. T. Knight,
Justice of the Peace.

H. 1116. To provide for an election to remove the county seat of Geneva county, Alabama, from the town of Geneva to the town of Hartford, if a majority of the qualified electors of said county at such election shall vote for such removal, and to provide for changing the county seat, and the erection of necessary county buildings and offices.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

AN ACT

Notice is hereby given that application will be made to the adjourned session of the Legislature of Alabama, which convenes on the 9th day of July, 1907, for the passage of the following law:

To provide for holding an election to remove the county seat of Geneva county, Alabama, from the town

of Geneva to the town of Hartford, if a majority of the qualified electors of said county at such election shall vote for such removal, and to provide for changing the county seat, and the erection of necessary county buildings and offices.

Be it enacted by the Legislature of Alabama:

~~Section 1. That whenever a majority of the quali-~~
fied electors of Geneva county, Alabama, shall petition the governor in writing, asking that an election be held in said county for the purpose of determining whether the county seat shall be removed from the town of Geneva to the town of Hartford, it shall be the duty of the governor, within thirty days thereafter, to appoint three commissioners to call and provide as herein directed for holding such election, who shall be qualified electors of said county, and shall not hold any State or county office, and shall cause them to be notified of their appointment.

Section 2. The persons to appointed shall be known as "the Board of Commissioners of county seat election," and the governor shall designate one of them as the chairman of such board. Each of the persons thus appointed must, within fifteen days after their appointment, take and file in the office of the Secretary of State an oath to support the constitution of the United States and the constitution of the State of Alabama and to honestly, faithfully and impartially perform the duties required of them as commissioners of county seat election, whereupon a commission shall issue in the usual form accompanied by a copy of said petition certified by the Secretary of State, on the payment of the usual fee therefor, for the use of the State. The Secretary of State shall file and record said petition in his office.

Section 3. If any person so appointed commissioner shall fail or refuse to qualify as provided in the preceding section; or if any vacancy shall occur in the membership of said board at any time during its existence, the governor shall fill such vacancy and the appointee shall qualify as provided in the preceding sections. And if at any time, it shall be made to appear to the gov-

error that any commissioner has wilfully neglected to discharge in good faith any duty resting upon him under the provisions of this act or is physically unable or otherwise incompetent to properly perform such duties, or is seeking in any manner to prevent or defeat a full and fair expression of the wishes of the qualified electors of the county on the question of such removal of the county seat, the governor must remove such commissioner and appoint another in his stead, who shall qualify as provided in the preceding section.

Section 4. Within thirty days after their appointment and qualification said board of commissioners shall, in writing, order and fix a time for the holding of an election in the several precincts or wards of the county to ascertain the wish of a majority of the qualified electors of the county on the question of removing of the county seat from Geneva to Hartford, which date of holding such election shall not be less than sixty nor more than one hundred and twenty days from the time of making said order; and said commissioners shall give notice thereof by publishing a copy of said order for four consecutive weeks in a newspaper published in the county or, if there be no newspaper published in the county, by posting a copy of said order at the court-house and at five other public places in the county, such publication to begin or such notices to be posted within fifteen days from the time of making said order. The order may be substantially as follows: Order for County Seat Election: The State of Alabama, Geneva County. A majority of the qualified electors of said county having petitioned the governor, praying that an election be held in said county on the question of removing the county seat from Geneva to Hartford in said county; and the governor having appointed the undersigned as the board of commissioners of county seat election, as provided by law: It is hereby ordered that an election be held at the usual voting places in said county, by the qualified electors thereof, on Monday, the——day of——, 190—, between the hours of 9 a. m., and 5 p. m., on the question of such removal at which election the elector who desires that

the county site shall remain at Geneva shall have written or printed on his ballot the words: "Against removal;" and the electors who desire that the county seat shall be removed to Hartford, shall have written or printed on his ballot the words: "For removal to Hartford." Done this, the——day of——, 190—. (Signed) ——, The Board of Commissioners of
~~County Seat Election.~~

Section 5. Between ten and thirty days prior to the day appointed for such election the said board of commissioners shall appoint three inspectors, two clerks and one returning officer to hold and conduct said election for each of the voting places in the county. One of said inspectors and one of said clerks for each voting place shall be appointed as recommended for that purpose by qualified electors favoring such removal, and one of said inspectors and one of said clerks for each voting place shall be appointed as recommended for that purpose by qualified electors opposing removal, and the third inspector and returning officer for each voting place shall be selected by the board of commissioners. But if there shall be a bona fide organization of electors favoring such removal, or such organization opposing such removal, one or both, the chairman or head of such organization shall have the superior right to thus recommend persons for appointment as inspector and clerk as herein provided, and the persons recommended by such chairman, respectively, or by either of them, must be appointed, it being the true intent and meaning of this act that each side shall have full and fair representation in the conduct of said election. Said board of commissioners shall notify or cause to be notified the persons so appointed as inspectors, clerks and returning officer for each voting place in the county prior to the day appointed for the election.

Section 6. The inspectors, clerks and returning officers thus appointed ~~must meet at the place of holding~~ elections in the several precincts or wards for which they are appointed, by 9 o'clock the morning of the election, and before 10 o'clock open the several polling places, and on the failure of any inspector or clerk to

attend at the hour of nine the inspector or inspectors present shall complete the number by appointing a qualified elector in the place of each inspector or clerk so absent, every such appointment to be so made that each side shall have representation in the person of at least one inspector and one clerk, and to that end the inspector or inspectors making such appointments shall observe the recommendations of a majority of the electors present favoring the side for which such absent inspector or clerk was appointed, if they shall make such recommendation. If no inspector is present at the hour of 9 as aforesaid, then a majority of the qualified electors then present who favor removal, shall select one inspector and a majority of the qualified electors then present who oppose removal shall select one inspector, and the two inspectors thus selected shall select a third inspector. If the returning officer is absent the inspectors shall appoint a qualified elector to serve as returning officer.

Section 7. Before entering upon their duties, the inspectors, clerks and returning officer, must take an oath to perform their duties pertaining to said election honestly, faithfully and impartially and according to law, which oath may be administered by any officer authorized by law to administer oaths or by any one of the inspectors.

Section 8. The inspectors, before they commence receiving ballots, must cause it to be proclaimed aloud at the place of voting that the election is opened.

Section 9. Each qualified elector shall be entitled to cast one ballot, and no more, which ballot must be a paper ticket on which must be written or printed the words: "For Removal to Hartford," or the words: "Against Removal," as the elector may desire to vote. No official ballot shall be required, nor shall any ballot be rejected for the want of form, if the inspectors are able to determine therefrom how the elector intended to vote.

Section 10. The name of each elector whose ballot has been received must immediately be taken down by each clerk on separate lists, which shall be known as the

poll list; and the number of the order in which each elector votes must at the same time be entered by each clerk against his name, the first elector voting being numbered one, the second numbered two, and so on to the last elector voting, and one of the inspectors shall correctly number each ballot with the number to correspond with the number opposite the elector's name on the poll list.

Section 11. The judge of probate must furnish to the board of commissioners provided for in this act a duly certified list of the registered voters in each precinct or ward in the county on request of said commissioners or either of them, and the payment of one cent for each name contained in such list; which said lists the commissioners aforesaid shall cause to be placed in the hands of the inspectors of the respective precincts or wards or other voting places prior to the day of said election, and all persons who are qualified electors under the constitution and general election laws of this State at the time of the election, and only such, shall be entitled to vote at any election held under the provisions of this act.

Section 12. Immediately on the closing of the polls the inspectors must count the ballots and certify the number of votes cast "For Removal to Hartford," and the number of votes cast "Against Removal," and certify on one of the poll lists that such poll list is the poll list of the election precinct or voting place at which they were inspectors and the day and year on which said election was held, and such statements of the votes and poll lists together with the ballots cast in said election, they shall securely seal up in an envelope or other wrapper or receptacle and label the same so as to show the precinct or ward in which said ballots were cast, and deliver the same to the returning officer, and said returning officer must, within twenty-four hours thereafter, deliver the same to the said board of commissioners, at the court house of the county.

Section 13. It shall be the duty of the board of commissioners to meet at the court house of the county on the next day after the day on which such election is

held, and there remain and receive the returns from the several returning officers and on the second day after the day on which such election was held, the said commissioners shall meet at the court house at 12 o'clock meridian, and in the presence of such persons as may choose to attend, the said board shall make a correct statement from the returns of the several precincts and wards of the county of the whole number of votes cast "For Removal to Hartford," and the whole number of votes cast "Against Removal," and shall then and there make in writing a public declaration of the result of said election. But if it shall be made to appear to said board that the returns from any precinct or ward are destroyed or withheld, or the delivery thereof purposely delayed or prevented, said board shall take such steps as in their judgment may be necessary in order to secure correct returns thereof, and to that end they may examine witnesses under oath, which oath may be administered by one of the commissioners touching the number of votes cast in such precinct "For Removal to Hartford," and the number of votes cast "Against Removal," and such votes shall be included in their statement. Said board shall reject any ballots shown to be illegal and shall reject any ballots shown to be illegal and shall count all legal ballots.

Section 14. Said board of commissioners, upon the conclusion of said court, shall certify in writing the result of said election, a copy of which shall be filed and recorded in the office of the judge of probate of the county and another copy published by at least one insertion by a newspaper published in the county if there be such newspaper.

Section 15. The returning officer from each precinct or ward is clothed with all the powers and charged with all the duties of a peace officer under the laws of the State, while engaged in the discharge of his duties as such returning officer. He shall receive as compensation for his services the sum of three dollars, which shall be paid by the county treasurer upon the order of said board of commissioners.

Section 16. Any duty herein required to be performed by the said board of commissioners of county seat election, may be performed by a majority of them; and a majority of the inspectors of election shall govern in the determination of all questions coming before them as such inspectors.

Section 17. If upon a canvass of the returns of said election, ~~it shall be ascertained and declared that a ma-~~ jority of all the legal votes cast were in favor of the removal of the county seat, then the town of Hartford thus selected shall thereafter be the county seat of the county; and it shall thereupon be the duty of the court of county commissioners to procure by donation or by purchase at the expense of the county suitable lots or parcels of land in said town of Hartford, taking the fee simple title thereto to the county, and to cause to be erected, at the expense of the county, a suitable court house, and a suitable jail on said lots for the county, and pending the erection and completion of the court house, to provide, at the new county seat, suitable buildings for the use of the county officers having offices in the court house and such officers shall remove their offices and the records thereof to such temporary offices as soon as practicable; and when said court house shall be completed and ready for occupancy, the said county officers shall remove their offices and the records thereof to such offices or rooms in the new courthouse as may be designated for them, respectively, by the court of county commissioners; and the sheriff, upon the completion of the jail, shall remove and keep therein any prisoners in his custody. After such removal, all courts of record for the county shall be held at the new county seat and if need be the court of county commissioners must provide suitable buildings in which to hold said courts, pending the erection and completion of the court house.

Section 18. ~~Any officer or person who shall wilfully~~ or corruptly fail to perform any duty required of him under any of the provisions of this act; or shall fraudulently alter or change the ballot of any elector after it has been cast; or shall make any false or fraudulent

count of votes; or shall place in the receptacle for ballots any ballot not actually cast by an elector; or shall take therefrom any ballot cast by an elector; with the intention of unlawfully changing or affecting the result of the election, or shall make any false poll list, or any false count of the ballots, or any false certificate to a poll list or to the result to the count of the ballots; or shall wrongfully open the returns from any precinct or ward; or shall change, secrete, destroy or mutilate the returns from any precinct or ward, or attempt to do so; or shall prevent or attempt to prevent any such return from being made, as required herein; or shall commit or attempt to commit any fraudulent act in connection with the ordering of said election, or the holding of the election, or making the returns, or declaring a result thereof; and any person who votes more than once, or deposits more than one ballot as his vote at such election, or knowingly attempts to vote when he knows that he is not entitled to vote; and any person, who, by bribery, or offering to bribe, or by any other corrupt means, attempts to influence any elector in giving his vote, or to deter him in giving the same, or to disturb or to hinder him in the free exercise of his right of suffrage at said election, must, in every such case, on conviction, be imprisoned in the penitentiary for not less than two nor more than five years.

G. A. Ward,
W. H. Bishop,
M. H. Metcalf,
Jno. C. Holman,
W. F. Clemmons.

The State of Alabama, }
Geneva County. }

Before me, W. M. Jerkins, a notary public in and for said county, personally came J. F. McCants, who being duly sworn, says, that he is the editor and publisher of the Hartford Times Herald, a newspaper published in said county, and that said Hartford Times Herald is a newspaper published in said county, and that the attach-

ed notice was published once a week for four consecutive weeks, in said newspaper, before the making of this affidavit.

J. E. McCants.

Sworn to and subscribed before me this 6th day of July, 1907.

~~W. M. Jenkins, Notary Public~~

H. 1066. To vacate and annul the dedication of the following highways and parts of highways, situated in Jefferson county, Alabama, to-wit:

All of Sadler Avenue; the south half of Lucian avenue from the center of Emma street to the center of Telula street; all of Lucian avenue from center to Telula street to Eastern boundary of Ella street; all of Ella street lying south of a continuation of the south line of the alley running easterly and westerly through block twenty-five and north of center of Valley Creek canal; all of Telula street lying south of the center of Lucian avenue and north of center of Valley Creek canal; the east half of Telula street lying between the continuation of the south line of the alley running easterly and westerly through block twenty-five and center of Lucian avenue all of Emma street lying south of the continuation of the south line of the alley running easterly and westerly through block twenty-eight and north of the center of Valley Creek canal; the east half of Emma street lying between a continuation of the south line of the alley running easterly and westerly through block twenty-eight and the center of Lucian avenue; and all the alleys in or through blocks twenty-nine, thirty, and thirty-one; all being located according to the survey, map and plan of Owenton, a map of which is recorded in map book two, page twenty-six, in the office of the probate judge of Jefferson county, Alabama.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
 Jefferson County. }

Before the undersigned, Lutie Chisholm, a notary public in and for the county and State aforesaid, personally appeared Thomas B. Smith, who is known to me, and who being duly sworn deposes and says on oath that he is business manager of the "Birmingham Ledger" and has been such business manager continuously since prior to the eleventh day of June 1907; that the Birmingham Ledger is a newspaper of general circulation, which has been published daily, except Sundays, in Birmingham, Jefferson county, Alabama, since prior to the eleventh day of June 1907; and that the notice hereinbelow attached was published without cost to the State of Alabama, in regular issues of said newspaper which were published on the 11th, 18th and 25th days of June, and on the 2nd day of July 1907, the said notice being in words and figures as follows, to-wit:

NOTICE.

Notice is hereby given that application will be made to the legislature of Alabama to pass a local law to vacate and annul the dedication of the following highways and parts of highways situated in Jefferson county, Alabama, to-wit:

All of Sadler avenue; the south half of Lucien avenue from center of Emma street to center of Telula street; all of Lucien avenue from center of Telula street to eastern boundary of Ella street; all of Ella street lying south of a continuation of the south line of the alley running easterly and westerly through block 25 and north of center of Valley Creek canal; all of Telula street lying south of center of Lucien avenue and north of center of Valley Creek canal; the east half of Telula street lying between a continuation of the south line of the alley running easterly and westerly through block 25 and center of Lucien avenue; all of Emma street lying south of a continuation of the south line of the alley running easterly and westerly through block 28 and north of the center of Valley Creek canal; the

east half of Emma street lying between the continuation of the south line of the alley running easterly and westerly through block 28 and the center of Lucien avenue; and all the alleys in or through blocks 29, 30 and 31; all being located to the survey, map and plan of Owen-ton a map of which is recorded in map book 2, at page 26, in the office of the probate judge of Jefferson county, Alabama.

~~Lec C. Bradley,~~
Thomas B. Smith.

Sworn to and subscribed before me this the 8th day of July A. D. 1907.

Lutie Chisholm, Notary Public.

H. 972. To amend section 3 of an act entitled "An act to protect and regulate the time and manner of catching and taking fish from and in the waters of the State of Alabama, in the counties of Mobile and Baldwin," approved February 9th, 1891.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Baldwin County. }

Personally appeared before me, W. D. Staplestone, a notary public, in and for said Baldwin county, State of Alabama, W. C. Dinwiddie, who, being by me duly sworn, deposes and says on oath that he is the business manager of The Baldwin Times; that the said the Baldwin Times is a newspaper published in the town of Bay Minette, Baldwin county, Alabama; and, affiant further says on oath that the following printed notice pasted to this affidavit was published once a week for four consecutive weeks in the said the Baldwin Times, that the fourth publication of said four consecutive publications of said notice was made in the said the Baldwin Times on June 20th, 1907.

W. C. Dinwiddie,
Business Manager, the Baldwin Times.

Subscribed and sworn to before me this 29th day of
June, 1907.

W. D. Stapleton,
Notary Public, Baldwin County, Alabama.

NOTICE.

Pursuant to constitutional requirement notice is hereby given that a bill will be introduced at the present session of the Legislature of Alabama for the purpose of amending section 3 of an act entitled "An act to protect and regulate the time and manner of catching and taking fish from and in the waters of the State of Alabama, in the counties of Mobile and Baldwin," approved February 9, 1891, which said section 3 reads as follows:

"Sec. 3. Be it further enacted, That it shall be unlawful for any person to sell, or offer for sale, any fish between the fifteenth day of March and the fifteenth day of June of each year; provided, that the provisions of this section shall not apply to salt fish nor salt water fish."

It is intended by the bill to be introduced at the present session to amend said section 3 so as to make it read as follows:

"Sec. 3. Be it further enacted, That it shall be unlawful for any person to sell or offer for sale any fish between the fifteenth day of March and the fifteenth day of June of each year; provided, that the provisions of this section shall not apply to salt fish nor salt water fish, nor to catfish, nor to fish of any kind or species caught outside the boundaries of the State of Alabama."

H. 956. To provide for the appointment by the judges of the city court of Birmingham, of the necessary bailiffs for said court and to fix the duties, powers, liabilities and compensations of said bailiffs and to provide for the payment of their compensation.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that at the meeting of the adjourned session of the Legislature of Alabama, July, 1907, a bill in substance as follows, will be introduced for passage:

Section 1. Be it enacted by the General Assembly of Alabama, That the judges of the city court of Birmingham be and they are authorized, empowered and required to appoint the necessary bailiffs for said court, not more than six in number who shall attend the sessions of said court constantly while said court is in session and shall do and perform such duties connected with said court as may be directed by the judges thereof and whose compensation shall be \$60.00 per month for each month they are in constant service and actual attendance upon the sessions of said court and which shall be paid by the county treasurer of Jefferson county out of any funds in the treasury of said county not otherwise appropriated on the first day of each month upon the certificate of the clerk of said court that said bailiffs have for the month past been in actual and constant attendance and service upon the sessions of said court. Each bailiff shall be appointed for not more than one term of said court, and shall be subject to removal at any time by judges thereof.

Section 2. Said bailiffs shall have while in attendance on said court and executing the orders and the directions of the judges of said court, all the power and authority now possessed and exercised by deputy sheriffs when attending said court and executing the orders of said judges and shall be accountable on the bonds hereinafter required to be given by them in same manner as the sheriff now is accountable for the acts and omissions of deputy sheriffs attending said court.

Section 3. Each of said bailiffs before entering upon the duties of his office must take the oath of office required by the constitution and laws of Alabama for executive officers and must each give bond with surety in an amount to be fixed by the judges of said court payable and conditioned as prescribed in section 3070 of

the Code of 1896, which bonds must be approved by the judge of probate of Jefferson county and recorded and filed in his office.

Section 4. Be it further enacted, That all laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

The State of Alabama, }
Jefferson County. }

Personally appeared before me, J. W. Hargrove, a notary public in and for said State and county, F. K. Gamble, who deposes and says that he is assistant business manager of the Alabama Christian Advocate, a newspaper published in the city of Birmingham, in said State and county, and that he is authorized to make this affidavit, he further certifies that the notice hereto attached was published for four consecutive weeks in said paper beginning on June 6th, 1907, and ending on June 27th, 1907, and that said notice which is hereto attached is a true and correct copy of the notice which appeared in said paper and that the same was published without costs to the State of Alabama.

F. K. Gamble,
Assistant Business Manager.

Sworn to and subscribed before me this the 6th day of July, A. D., 1907.

J. W. Hargrove,
Notary Public.

H. 968. To amend section one of an act, approved December 7th, 1896, entitled an act to amend section 1, of an act entitled an act to protect the fish in Deer river, East Fowl river, West Fowl river, Little river, and the tributaries of those streams in Mobile county, approved February 18th, 1895.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows

NOTICE.

Notice is hereby given of the intention to apply to the Legislature of Alabama, at its adjourned session, com-

mencing on the day of July 8, 1907, for the passage of a law making it unlawful for any person to use, for the purpose of catching fish in Little river, Mobile county, and the tributaries thereof, or within three hundred feet of the mouth thereof, any seine, gill net or tresmire net, or net of like kind, excepting, however nets known as cast nets, and to make the violation thereof a misdemeanor, ~~said law to be incorporated as an amendment~~ to an act approved December 7th, 1896, for the protection of fish in Deer river, East Fowl river, West Fowl river, and Bayou La Batre.

D. T. McLean.

Mobile, May 2, 1907.

The State of Alabama, }
Mobile County. }

Before me, Jno. E. Mitchell, a notary public in and for Mobile county, Alabama, personally appeared Thomas B. Allman, who being first duly sworn, says that he is cashier of the Daily Herald, a newspaper published in the city of Mobile, Alabama; that the above notice was published once a week, for four consecutive weeks, in said Daily Herald, on, to-wit, May 2nd, 9th, 16th, 23rd, 1907.

Thomas B. Allman.

Subscribed and sworn to before me this 27th day of June, 1907.

Jno. E. Mitchell,

Notary Public, Mobile County, Alabama.

H. 1268. To allow the sheriff of Bullock county, Alabama, for fees for attendance upon the trial of any habeas corpus case before any judge or court, and to authorize the commissioners' court of said county, to pay the same out of the general fund of the county.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Bullock County. }

Before me, J. T. Norman, a N. P. ex-off. J. P. in and for the county and State aforesaid, personally appeared P. F. Miles, who, being by me first duly sworn, deposes

and says, that he is the editor of the Union Springs Herald, and that the attached notice as it appears was published in said paper once a week for four successive weeks, immediately preceding July 9th, 1907.

P. F. Miles.

Sworn to and subscribed before me on this the 12th day of July, 1907.

J. T. Norman,
N. P. ex-off. J. P.

NOTICE.

Notice is hereby given that at the adjourned session of the present Legislature of Alabama, which convenes on, to-wit: July the 9th, 1907, application will be made to have enacted for Bullock county the following local laws, to-wit:

An act to provide that the sheriff of Bullock county, Alabama, shall receive for "impaneling grand juries, advertising and attending all elections in his county, and for all other public service otherwise provided for, such sum as may be allowed by the court of county commissioners, to be paid out of the county treasury not exceeding five hundred (\$500.00) dollars per annum.

Second—An act to allow the sheriff of Bullock county for fees for attendance upon the trial of any habeas corpus case before any judge or court the sum of \$2.00 per day.

An act to provide for the payment by the court of county commissioners out of the county treasury for the removal of persons charged with misdemeanors the same fees, mileage and per diem as are now provided by law for the removal of persons charged with felonies.

June 3, 1907.

j5-3t

H. 1103. To amend section 9 of an act entitled an act to authorize the cities of Tuscumbia and Sheffield and the towns of Leighton and Cherokee, in Colbert county, to establish and operate dispensaries in such incorporated cities and towns, for the purpose of buying and selling spirituous, vinous and malt liquors, and to pro-

vide for the distribution of certain profits arising therefrom, and to further regulate or prohibit the sale of such liquors in the said county, approved February 15th, 1907.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE OF PROPOSED LEGISLATION

Notice is hereby given that when the Legislature of Alabama convenes on the 9th day of July, 1907, a bill substantially in the following words will be introduced and passed:

A BILL

To be entitled an act to amend section 9 of an act entitled an act to authorize the cities of Tuscumbia and Sheffield, and the towns of Leighton and Cherokee, in Colbert county, to establish and operate dispensaries in such incorporated cities and towns, for the purpose of buying and selling spirituous, vinous and malt liquors, and to provide for the distribution of certain profits arising therefrom, and to further regulate or prohibit the sale of such liquors in the said county, approved February 15th, 1907.

Section 1. Be it enacted by the Legislature of Alabama, That section 9 of an act entitled an act to authorize the cities of Tuscumbia and Sheffield and the towns of Leighton and Cherokee, in Colbert county, to establish and operate dispensaries in such incorporated cities and towns for the purpose of buying and selling spirituous, vinous and malt liquors and to provide for the distribution of certain profits arising therefrom, and to further regulate or prohibit the sale of such liquors in said county, approved February 15, 1907, be amended so as to read as follows:

Section 9. All purchases for the use of said dispensaries shall be made by the dispenser, with the approval of each purchase by the board of mayor and aldermen

or other governing body of the city or towns where the dispensary is located, expressed in writing, and said purchases shall be made for cash only and no sale shall be made by the dispenser except for cash. The dispenser and the governing body of the city or town shall keep an accurate account of all the purchases made for the use of the dispensary and the dispenser shall keep an accurate account of each day's sales, the amount sold to each party, the selling price and names of all parties to whom the sales were made. A copy of which last account shall be filed by the dispenser at the close of each day with the mayor or other executive officer of said city or town and also mailed to the probate judge of the county of Colbert, which said accounts shall be public records, and shall be filed in substantial books provided for that purpose. Said dispenser shall also make to the legislative body of the town or city in which he is conducting a dispensary and to the probate judge weekly reports on such forms and under such directions, rules and regulations as said legislative body may require, and he shall give full and accurate information as to the condition, expenses, profits, losses and status of the business. He shall make other and additional reports, oral or in writing, whenever and as often as the legislative body of his town or city may require. Subject to the provisions of this act such legislative body shall regulate and control the conduct and management of said business. On the 2nd Monday in February, May, August and November of each year, beginning with the 2nd Monday in February, 1908, said cities and towns doing business under this act shall pay to the court of county commissioners (40 per cent.) forty per cent. of the net profits of the several dispensaries, after deducting all the expenses of operating the dispensaries. At said times, to-wit: the 2nd Monday in February, May, August and November of each year, beginning with the 2nd Monday in February, 1908, the several dispensers shall file under oath, with the county commissioners a full, true and correct statement of all receipts and disbursements made by him for and on behalf of the dispensaries since his last settlement up to

and including the Saturday prior to the date of settlement. The county commissioners shall, during the term of court at which the money is received, pay into the county treasury all money received by them from the several dispensaries, taking the receipt of the treasurer for same, which shall be filed in the office of the judge of probate and recorded in the minutes of the court of county commissioners. The treasurer of said county shall keep said amount separate and apart from all other county funds and the same shall be and is hereby appropriated for the maintenance of the public schools of said county outside of the cities and towns where dispensaries are in operation, and for the improvement of the public roads of said county outside of incorporate cities and towns. Upon receiving said fund the court of county commissioners shall out of the same first make ample provision for the maintenance of the public schools of said county, which amounts so appropriated for schools shall be paid to the county superintendent of education of said county and by him applied to the township and district schools in said county, in the same proportion as the public school funds of the State is now distributed, and to be paid by him to such of said township and district schools and in such proportion to the several schools as the trustees of said several township and district schools shall direct; and the trustees of the said township and district schools shall direct the expenditure of the same as they think best for the furtherance of the education of the children of their respective townships and districts so as to provide as nearly as practicable school terms of equal duration in such school districts or townships, provided that no part of said county fund shall be applied or appropriated to the schools of a city or town where a dispensary is in operation, and provided that no part of said county fund shall be used or appropriated for any other than road and school purposes as aforesaid. After said public schools have been provided for as aforesaid, the remainder of said dispensary fund shall be appropriated by said board of county commissioners for the improve-

ment and construction of pikes and public roads in said county outside of incorporated cities and towns.

The State of Alabama, }
Colbert County. }

Before me, John W. Johnson, a notary public in and for said county and State, personally appeared Wilmer Goodloe, who, being by me duly sworn, deposeth and saith that he is publisher of the North Alabamian, a newspaper published in Colbert county, Alabama, and that the above and foregoing notice of proposed legislation to amend the act establishing dispensaries at certain places in Colbert county, was published in the said newspaper once a week for four consecutive weeks beginning on the 3 day of June, 1907.

Wilmer Goodloe.

Sworn to and subscribed before me on this the 6th day of July, 1907.

J. W. Johnson,
Notary Public.

H. 1217. To amend section three of an act entitled "An act to authorize solicitor of Jefferson county to employ a stenographer and define his duties," approved December 10, 1900.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Jefferson County. }

Before me, Jack T. Stallings, a notary public, personally appeared E. W. Jones, who, being duly sworn, deposes and says that he is publisher and editor of the Jones Valley Times, a weekly newspaper published in said county, and that the publication of a certain bill, of which the bill attached is a true copy, has been made in said paper for four consecutive weeks, to-wit: on the 13th, 20th and 27th days of June, 1907, and the 4th day of July, 1907.

E. W. Jones.

Sworn to and subscribed before me this 12th day of
July, 1907.

Jack T. Stallings.

Notary Public.

Notice is hereby given that application will be made to the Legislature of Alabama, at the adjourned session thereof, to pass an act the substance of which is as follows:

A BILL

To be entitled an act to amend section three of an act entitled "An act to authorize the solicitor of Jefferson county to employ a stenographer and define his duties," approved December 10, 1900.

Section 1. Be it enacted by the Legislature of Alabama, That section 3 of an act entitled "An act to authorize the solicitor of Jefferson county to employ a stenographer and define his duties," be amended to read as follows: "Section 3. That the compensation of the said stenographer shall be fixed within reasonable bounds by said solicitor, and shall be paid out of the solicitor's fund arising from convictions in said court, not to exceed one hundred and fifty dollars per month, if employed by the month, and not to exceed eighteen hundred dollars per annum, if employed by the job."

H. 988. To fix the time and place where the tax assessor of Morgan county, Alabama, shall keep his office and prescribe the number of rounds to be made by him in the county each year, for the purpose of assessing taxes and allowing him to fix the number of days to remain in the several precincts for the purpose of assessing tax during the months of October and November of each year, and requiring him to be at the court house of the county during the month of December in each year for the purpose of assessing the taxes of the county.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Morgan County. }

Before me, Dan Walden, a notary public, in and for the county and State aforesaid, this day personally appeared J. C. Orr, who being first duly sworn, deposes and says that he is the editor and proprietor of a newspaper published in the said State and county, known and designated as the Morgan County Times. That the notice hereto attached was published in said newspaper once a week for four consecutive weeks, beginning with the issue of date, June 7th, 14th, 21st, and 28th, 1907.

That said notice was published without cost to the State of Alabama. J. C. Orr.

Sworn to and subscribed before me, this 6th day of July, 1907.

Dan Walden,
Notary Public and Ex. Off. J. P.

NOTICE.

There will be a bill introduced at the adjourned session of the legislature to convene in July, 1907, authorizing and requiring the tax assessor of Morgan county to keep an office at the court house from the first of October until the 1st of May of each and every tax year; and also authorizing the tax assessor to make only one round of the county for the purpose of assessing taxes, and allow him to remain at the several precincts of the county as long as it may be necessary to assess the taxes thereof during the months of October and November in each year, and requiring him to be at the court house of the county during the month of December in each year for the purpose of assessing the taxes of the county.

H. 866. To extend and change the corporate limits of the town of Carrollton, in Pickens county, Alabama.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

A bill will be introduced in the 1907 session of the Legislature of Alabama to extend and change the corporate limits of the town of Carrollton, Alabama, so that said limits shall be 660 yards equal distance north, east, south and west from the center of the present court house in said town.

The State of Alabama, }
Pickens County. }

Before me, M. B. Curry, a notary public in and for said county, personally appeared Marion Johnson, who, being duly sworn, doth depose and say that he is one of the publishers of the Alabamian-Herald, a newspaper published in said county, and that the foregoing notice was published in the said paper for four consecutive weeks prior to this date. Marion Johnson.

Sworn to and subscribed before me this the 23rd day of Feb'y, 1907.

M. B. Curry,
Notary Public.

H. 984. To fix the salary of the associate judge of the city court of Montgomery.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Montgomery County. }

Before me, H. N. Hughes, clerk of the city court of Montgomery, personally appeared J. B. Stern, who is known to me, and who being by me first duly sworn, upon oath deposes and says that he is the general manager of the Montgomery Times, which is a daily newspaper published in the city and county of Montgomery, Ala., and that an advertisement in words and figures as follows:

NOTICE.

A bill will be introduced at the session of the Legislature fixing the salary of the associate judge of the

city court of Montgomery at \$3,600 per annum, payable in monthly installments.

Was published once a week for four consecutive weeks in said Montgomery Times during the present session of the Legislature and before the date of this affidavit.

J. B. Stern.

Sworn to and subscribed before me this the 8th day of July, 1907.

H. N. Hughes,

Clerk of the City Court of Montgomery.

H. 1179. To provide for the celebration of the one hundredth anniversary of the battle of Tohepeka or Horse-shoe Bend, in 1814.

And sends the same to the Senate.

H. 1296. To authorize and empower the court of county commissioners of Butler county to employ a janitor for Butler county, who shall be under the control and direction of the sheriff of Butler county, to prescribe his duties and to provide for the payment of such janitor.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Butler County. }

Before me, Bennie Williams, a notary public in and for said county and State, personally came J. B. Stanley, who, being by me first duly sworn, doth depose and say as follows, to-wit: That he is the editor and publisher of The Greenville Advocate, a weekly newspaper published at Greenville in said county and State; that the notice, a copy of which is hereinafter set out, was published in said Greenville Advocate for four consecutive weeks, beginning on the 12th day of June, 1907.

NOTICE.

You will please take notice that a bill will be introduced at the adjourned term of the present session of

the Legislature of Alabama, which convenes in Montgomery, Alabama, on July 9th, 1907, which bill will provide that the court of county commissioners of Butler county, Alabama, be allowed to employ a janitor for Butler county, Alabama, who shall be under the control and direction of the sheriff of Butler county, Alabama, and whose duties shall be to do and perform any and ~~all services which shall be required of him in and around~~ the court house of Butler county, Alabama, his salary to be fixed by the court of county commissioners of Butler county and to be paid out of the county treasury of Butler county, on an order from the county commissioners of Butler county, Alabama. This the 7th day of June, 1907.

J. B. Stanley.

Sworn to and subscribed before me this 11th day of July, 1907.

Bennie Williams,
Notary Public.

H. 1101. To amend an act entitled an act to fix the times and places of holding circuit court in the Seventh judicial circuit, approved Oct. 3, 1903.

And sends the same to the Senate.

H. 1290. To promote and secure the erection of factories for the purpose of manufacturing cement in the State of Alabama.

And sends the same to the Senate.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

The House bills in the foregoing House message were severally read once and referred to appropriate standing committees as follows:

H. 894, 953, 1322, 1017, 1018, 1053, 1162, 1272, 1274, 1139, 929, 923, 965, 820, 879, 1004, 989, 993, 891, 1043, 1042, 1010, 1064, 924, 870, 1089, 1099, 1119, 1095, 832, 892, 861, 1054, 1194, 896, 1197, 895, 1037, 889, 1065, 948, 1044, 1009, 1112, 1270, 1184, 913, 1267, 1110, 947,

1165, 1041, 1008, 1135, 1219, 933, 938, 1067, 1035, 966, 1210, 1297, 1259, 1102, 914, 1218, 874, 1169, 1295, 1170, 955, 1298, 1126, 1299, 1191, 1256, 1292, 1001, 1013, 1196, 1308, 1116, 1268, 988, 866, 984, 1296, 1101, 930, 273, 1190, 1040, 1092, 1168, 1091, 786, to Local Legislation.

H. 1232, 906, 1083, 1107, 1094, 1310, 979, 1269, 980, 875, 1183, 1244, 1291, 1255, 1066, 956, 1217, 1179, 1290, 1077, to Finance and Taxation.

H. 628, 1082, 1050, 1051, 1221, 999, 1055, to Revision of Laws.

H. 1198, 1049, to Judiciary.

H. 1178, to Privileges and Elections.

H. 885, 1016, 1106, 1098, 1059, 1105, 868, 1213, 1301, 1100, 1102, 1223 and 1103, to Temperance.

H. 235, 972, 968, to Game, Fish and Forestry Preservation.

RECESS.

The Senate adjourned at 1:30 o'clock, on motion of Mr. Lusk, until 3:30 o'clock p. m.

AFTERNOON SESSION.

July 23, 1907.

The Senate met pursuant to adjournment.

A quorum was present.

RESOLUTION.

Mr. Reid offered the following resolution, to-wit:

Resolved, that Senate bill No. 513, To amend an act to provide for the inspection of jails and almshouses and cotton mills or factories, approved March 4th, 1907, by adding section 12, to provide for a clerk to the inspector, be set down as a special, paramount and continuing order at 11:30 a. m. on the next legislative day.

Which was referred to the committee on Rules.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has adopted the following joint resolution:
By Mr. Houston:

H. J. R. 287. Resolved by the House, the Senate concurring, that the governor be and he is hereby requested ~~to return to the House, House bill No. 810.~~

And has concurred in the Senate amendments to H. 562.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

The Senate concurred in the House joint resolution 287, recalling from the governor House bill 810, the title to which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker of the House having signed the following House bills your signature thereto is requested:

H. 690. To require the county board of education of Wilcox county to audit and pass upon the accounts of the district trustees of the several school districts in Wilcox county of the funds paid over to them by the superintendent of education of Wilcox county, arising out of the dispensary at Camden, to be used by them for school purposes.

H. 1033. Providing for the more efficient working of the public roads in Wilcox county; to provide for the revenues for the same, including a vehicle license; to divide the county into five road districts, and to appoint and elect road supervisors and overseers for the same; to provide for the appointment of one civil engineer; to provide for a commutation of \$7.50 per capita in lieu of work, and such other details as may be necessary for the working of the public roads in Wilcox county.

H. 960. To amend section 1 of an act entitled an act "To aid and encourage technical education in the State of Alabama and the providing for the erection and equipment of buildings and increased facilities at the Alabama Polytechnic Institute," approved March 2, 1907, so as to read as follows:

H. 932. To vacate and annul as a public street or highway that part of Seventh or Twenty-third street in the town of North Birmingham, Alabama, which lies northwestwardly of the northern line of avenue A or Thirty-sixth avenue and southwestwardly of the southern line of avenue B or Thirty-seventh avenue, and to extinguish and annul the dedication thereof.

H. 912. To repeal an act entitled an act "To constitute a board of jury commissioners for Crenshaw county, approved February 7th, 1899."

H. 897. To change the boundary line between the counties of Cleburne and Calhoun.

H. 687. To repeal all statutes and laws establishing county courts, and proceedings therein, with monthly terms for the trial of misdemeanors, (Code 4593 et seq) so far as the county of Madison is concerned.

H. 686. To repeal an act entitled an act to regulate the trial of misdemeanors in Madison county, approved February 23rd, 1899, acts 1898-99, page 1553, and to transfer all causes and proceedings pending in the county court of Madison county as regulated or established by said act, and all dockets and records thereof, to the law and equity court of Madison county, and to give such court jurisdiction of such causes and proceedings and full power and authority thereover.

H. 761. To extend the police power and jurisdiction of the city of Sylacauga over and about the property and premises of the Central Mills, a corporation under the laws of Alabama, in the vicinity of said city in the county of Talladega, and to empower the corporate authority to exercise police jurisdiction over the said Central Mills property, and within the limits of one hundred and fifty feet from the boundary lines thereof.

H. 964. To amend sections 5 and 15 of an act entitled an act to establish the Lee county court of law and

equity, prescribe its jurisdiction and powers, its rules of practice and procedure, provide for the selection of its officers; prescribe their powers, duties, compensation and term of office; fix the time of holding said court, and provide for fees, commissions, fines, forfeiture and juries in said court; provide for supplies for said court, and repeal conflicting laws, approved the 5th day of March, 1907.

H. 562. To regulate the practice of pharmacy and the sale of poisons in the cities and towns of more than nine hundred inhabitants in the State of Alabama, and fixing the penalty for violations thereof, and to repeal chapter 89 of the Civil Code of Alabama 1896, and section 5335 of the Criminal Code of Alabama 1896, and all other laws in conflict with the provisions of this act.

Cyrus B. Brown,
Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read at length by the secretary, signed the above House bills, the titles of which are set out in the foregoing House message, the reading at length of said bills having been dispensed with, by a two-thirds vote of a quorum of the Senate present.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bills and ordered same sent forthwith to the Senate without engrossment:

H. 1206. To make an enumeration or census of the confederate soldiers residing in the State of Alabama, and to provide for the payment therefor.

H. 1108. To amend section 1 of an act entitled an act for the relief of needy confederate soldiers and sailors, resident citizens of Alabama, and their widows, approved February 10th, 1899.

H. 558. To regulate the employment of child labor in certain mills, factories and manufacturing establishments in this State, and to provide for the inspection of the rooms, places and premises wherein they are worked and to adequately punish violations of this act.

And sends the same to the Senate.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

The House bills in the foregoing House message were severally read once and referred to appropriate standing committees as follows:

H. 1206, 1108, to Judiciary.

H. 558, to Mining and Manufacturing.

BILLS ON THIRD READING.

The bill:

H. 939. To adopt a code of laws for the State of Alabama.

Was taken up.

Mr. Spragins offered the following amendment, to-wit:

Amend by striking out of Sec. 3432 the following language at the end of said section: Provided that in no event shall it be contributory negligence or an assumption of the risk on the part of a servant to remain in the employment of the master or employer after knowledge of the defect or negligence causing the injury, unless he be a servant whose duty it is to remedy the defect or who committed the negligent act causing the injury complained of.

Which on motion of Mr. Overton was laid on the table.

Yeas, 20; nays, 4.

Yeas:

Messrs:

Barbour	Hinson	Moody	Strother
Bayles	Horton	McWhorter	Teasley
Forrester	Leith	Overton	White
Gardner	Lusk	Reid	Wilson
Gunn	Merritt	Reynolds	Wimberly
Hamner	Miller		

—20.

Nays:

Messrs:

Heacock	Jones	King	Spragins
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—4.

Mr. Spragins offered the following amendment:

Amend by adding following section:

Section . There is hereby incorporated in the Code, hereinbefore provided for, a section in words as follows:

That each and every officer, each and every official body, tribunal or court, whose duty it is or may be to assess or value property for taxation, shall assess or value the same at sixty per cent of its cash market value.

And which said section shall supercede and repeal all provisions in conflict therewith.

Which, on motion of Mr. Hamner, was laid on the table.

Yeas, 20; nays, 7.

Yeas:

Messrs:

Barbour	Hamner	Lusk	Reid
Bayles	Hayes	Merritt	Reynolds
Gardner	Hinson	Miller	Strother
Glenn	Horton	McWhorter	Teasley
Gunn	Leith	Overton	Wilson

—20.

Nays:

Messrs:

Blackmon	Heacock	King	Spragins
Forrester	Jones	Moody	

—7.

Mr. Spragins offered the following amendment:

Amend by adding following section:

Sec. —. There is hereby incorporated in the Code, hereinbefore provided for, a section in words as follows:

The rate of taxation shall be sixty one-hundredths of one per cent on the value of the taxable property within the State.

Which, on motion of Mr. Miller, was laid on the table.

Yeas, 19; nays, 4.

Yeas:

Messrs:

Bayles	Hayes	Lusk	Overton .
Gardner	Heacock	Merritt	Reid
Glenn	Hinson	Miller	Reynolds
Gunn	Horton	Moody	Wilson
Hamner	Leith	McWhorter	

—19.

Nays:

Messrs:

Jones	King	Spragins	Teasley
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—4.

And the bill was read a third time, at length, and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lusk	Reid
Bayles	Heacock	Merritt	Reynolds
Blackmon	Hinson	Miller	Spragins
Forrester	Horton	Moody	Teasley
Gardner	Jones	McWhorter	White
Glenn	Leith	Overton	Wilson
Gunn			

—25.

The bill:

H. 940. To provide for the publication and distribution of the Code of Alabama and the acts of the Legislature.

Was read a third time, at length, and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Bayles	Hamner	Leith	Overton
Blackmon	Hayes	Lusk	Reid
Forrester	Heacock	Merritt	Reynolds
Gardner	Hinson	Miller	Spragins
Glenn	Horton	Moody	White
Gunn	Jones	McWhorter	Wilson

—24.

The bill:

H. 963. To authorize the Lee county court of law and equity to revive and enforce judgments, decrees, orders and proceedings entered prior to July 1st, 1907, in the circuit, chancery and county courts of Lee county.

Was read a third time, at length, and passed.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Lusk	Reynolds
Bayles	Heacock	Merritt	Spragins
Blackmon	Hinson	Miller	Strother
Forrester	Jones	Moody	Teasley
Gardner	King	McWhorter	White
Glenn	Leith	Overton	Wilson
Gunn	Lowe	Reid	Wimberly
Hamner			

—29.

The bill:

S. 592. To amend section 1 of an act entitled an act to alter, rearrange and extend the corporate limits of the city of Mobile, Alabama, approved March 2, 1907.

Was read a third time, at length, and passed and same ordered sent to the House forthwith without engrossment.

Yeas, 27, nays, 0.

Yeas:

Messrs:

Barbour	Gardner	Hamner	Hinson
Blackmon	Glenn	Hayes	Jones
Forrester	Gunn	Heacock	King

Leith	Miller	Reese	Teasley
Lowe	Moody	Reid	Wilson
Lusk	McWhorter	Reynolds	Wimberly
Merritt	Overton	Spragins	

—27.

The bill:

S. 391. To fix the salary of the judge of the city court of Talladega county and to provide for the payment of the same.

Was taken up.

The following amendment offered by the committee, to-wit:

Amend by striking out two thousand seven hundred and insert in lieu thereof two thousand five hundred.

Was adopted.

Ayes, 23; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Lowe	Reynolds
Blackmon	Heacock	Lusk	Spragins
Forrester	Hinson	McWhorter	Strother
Gardner	Horton	Overton	Teasley
Gunn	Jones	Reese	Wilson
Hamner	Leith	Reid	

—23.

And the bill, as thus amended, was read a third time, at length, and passed.

Yeas, 29; nays, 1.

Yeas:

Messrs:

Barbour	Hamner	Leith	Reese
Bayles	Hayes	Lowe	Reynolds
Blackmon	Heacock	Merritt	Spragins
Forrester	Hinson	Miller	Strother
Gardner	Horton	Moody	Teasley
Glenn	Jones	McWhorter	Thomas
Gunn	King	Overton	Wilson
Hamburger			

—29.

Nays: Mr. Lusk—1.

The bill:

H. 1034. To amend section 2 of an act, entitled an act to amend an act, entitled an act to establish, maintain and regulate a dispensary in the town of Camden, Wilcox county, Alabama, for the sale of spirituous, vinous and malt liquors, approved September 23, 1903, so as to provide that the one-fourth of the net proceeds of ~~said dispensary shall be appropriated to the public road fund for Wilcox county, and providing for the election by the mayor and board of aldermen of the town of Camden, Alabama, for a cashier to issue checks for the purchase of liquors in said dispensary.~~

Was read a third time, at length, and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Leith	Reynolds
Bayles	Hayes	Lowe	Spragins
Blackmon	Heacock	Lusk	Strother
Forrester	Hinson	Moody	Teasley
Glenn	Jones	McWhorter	Thomas
Gunn.	King	Reid	White

—24.

The bill:

H. 847. To provide for the payment of the salary of the judge of the city court of Anniston, and to fix the amount of the same at thirty-five hundred dollars.

Was read a third time, at length, and passed.

Yeas, 21; nays, 1.

Yeas:

Messrs:

Barbour	Hayes	Lowe	Reid
Blackmon	Heacock	Miller	Reynolds
Forrester	Hinson	Moody	Spragins
Gardner	Horton	McWhorter	Thomas
Gunn	Jones	Overton	Wilson
Hamner			

—21.

Nays: Mr. Lusk—1.

The bill:

S. 548. For the relief of Mrs. M. J. Smyley of Maringo county, the widow of a confederate soldier.

Was read a third time, at length, and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Barbour	Horton	Miller	Spragins
Forrester	Jones	Moody	Strother
Gardner	King	McWhorter	Teasley
Glenn	Leith	Overton	Thomas
Hayes	Lowe	Reid	White
Heacock	Lusk	Reynolds	Wilson
Hinson			

—25.

The bill:

H. 497. For the relief of D. I. Guthrie, ex-tax collector for Lamar county, Alabama.

Was read a third time, at length, and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Leith	Reese
Blackmon	Heacock	Lowe	Reynolds
Forrester	Hinson	Lusk	Spragins
Gardner	Horton	Merritt	Strother
Glenn	Jones	Moody	Thomas
Gunn	King	McWhorter	Wilson
Hamner			

—25.

The bill:

S. 557. To create the office of official stenographer for Walker county, Alabama, to provide for his appointment, fix his compensation and define his duties, and provide for special stenographers in certain cases.

Was read a third time, at length, and passed, and same ordered sent forthwith to the House without engrossment.

Yeas, 28; nays, 0.

Yeas:

Messrs:

Barbour	Heacock	Lusk	Reynolds
Bayles	Hinson	Miller	Spragins
Blackmon	Horton	Moody	Strother
Forrester	Jones	McWhorter	Teasley
Glenn	King	Overton	Thomas
Gunn	Leith	Reese	White
Hayes	Lowe	Reid	Wilson

—28.

The bill:

S. 305. To enlarge the powers of the board of trustees, hereafter to be known as the board of education of the school district of New Decatur.

Was read a third time, at length, and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Barbour	Hinson	Merritt	Reid
Blackmon	Jones	Miller	Reynolds
Forrester	King	Moody	Spragins
Glenn	Leith	McWhorter	Strother
Gunn	Lowe	Overton	Teasley
Hamner	Lusk	Reese	White
Hayes			

—25.

The bill:

H. 927. To further provide for the further construction, maintenance and repair of public roads in Jackson county.

Was taken up.

The following amendment offered by the committee:

Provided, this bill shall become effective immediately upon the approval of the governor.

Was adopted.

Ayes, 26; nays, 0.

Yeas:

Messrs:

Barbour	Hinson	Moody	Spragins
Bayles	Horton	McWhorter	Strother
Forrester	Jones	Overton	Teasley
Gunn	Leith	Reese	Thomas
Hamburger	Lowe	Reid	White
Hayes	Lusk	Reynolds	Wilson
Heacock	Merritt		

—26.

And the bill, as thus amended, was read a third time, at length, and passed.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Barbour	Horton	Miller	Spragins
Blackmon	Jones	Moody	Strother
Forrester	King	McWhorter	Teasley
Glenn	Leith	Overton	Thomas
Gunn	Lowe	Reese	White
Hamner	Lusk	Reid	Wilson
Heacock	Merritt	Reynolds	

—27.

The bill:

H. 860. To authorize the board of mayor and aldermen of the city of Bridgeport in Jackson county, Alabama, to permit school children living without the limits of said city, to attend the public schools within said city upon such terms as said board may prescribe.

Was read a third time, at length, and passed.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Barbour	Heacock	Lusk	Reynolds
Blackmon	Hinson	Merritt	Spragins
Forrester	Horton	Moody	Strother
Gardner	Jones	McWhorter	Teasley
Glenn	King	Overton	Thomas
Gunn	Leith	Reese	White
Hamburger	Lowe	Reid	Wilson
Hayes			

—29.

The bill:

H. 935. To amend section 2 of an act entitled an act to establish the city court of Bessemer.

Was read a third time, at length, and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Lusk	Reynolds
Blackmon	Heacock	Merritt	Spragins
Forrester	Hinson	Moody	Teasley
Gardner	Jones	McWhorter	Thomas
Glenn	King	Overton	Wilson
Hamner	Lowe	Reid	

—23.

The bill:

S. 567. To authorize incorporated towns and cities of Tuscaloosa county to establish, maintain and operate dispensaries and in and through such dispensaries to buy and sell spirituous, vinous and malt liquors, and to prohibit and punish the selling of liquors and intoxicating drinks in said counties in any other way than by such municipal corporations through their dispensaries; to declare that the violation of certain provisions of this act shall be a misdemeanor and to provide for the punishment thereof; to further regulate the sale of liquors in said county; and to repeal an act entitled, "An act to authorize all incorporated towns, and cities in Tuscaloosa county to buy and sell spirituous, vinous and malt liquors, and to provide for the distribution of certain profits arising therefrom, and to further regulate or prohibit the sale of such liquors in said county," approved on the 27th day of February, 1901. This act not being intended, however, to repeal or affect any existing law under which the sale of liquors in said county may hereafter be prohibited.

Was read a third time, at length, and passed, and sent to the House forthwith without engrossment.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Merritt	Reynolds
Blackmon	Hinson	Miller	Spragins
Forrester	Jones	Moody	Strother
Glenn	King	McWhorter	Teasley
Gunn	Leith	Overton	Wilson
Hamner	Lusk	Reese	

—23.

The bill:

H. 69. To authorize the court of county commissioners of Colbert county to pay the executor or administrator of the estate of James H. Simpson, late clerk of the circuit court of said county, for services rendered by the said James H. Simpson as such clerk for keeping the minutes of the circuit court of said county during the years 1897, 1898, 1899, 1900, 1901, 1902, 1903, the account for said service being barred by section 1420 of the Code.

Was read a third time, at length, and passed.

Yeas, 28; nays, 0.

Yeas:

Messrs:

Bayles	Hinson	Merritt	Reynolds
Blackmon	Horton	Miller	Spragins
Forrester	Jones	Moody	Strother
Gardner	King	McWhorter	Teasley
Gunn	Leith	Overton	Thomas
Hayes	Lowe	Reese	White
Heacock	Lusk	Reid	Wilson

—28.

The bill:

H. 795. To prohibit any person or corporation from selling, giving away, delivering or otherwise disposing of spirituous, vinous or malt liquors or other intoxicating bitters or beverages in Marion county, Alabama; prescribing that a delivery shall constitute a sale, and prescribing a penalty for the violation of said law.

Was read a third time, at length, and passed.

Yeas, 26; nays, 0.

Yeas :

Messrs :

Barbour	Hinson	Miller	Reynolds
Forrester	Horton	Moody	Spragins
Glenn	Jones	McWhorter	Strother
Gunn	Leith	Overton	Teasley
Hamner	Lowe	Reese	White
Hayes	Lusk	Reid	Wilson
Heacock	Merritt		

—26.

The bill :

S. 585. To authorize and empower the court of county commissioners of Butler county to employ a janitor for Butler county, who shall be under the control and direction of the sheriff of Butler county, to prescribe his duties and provide for the payment of such janitor.

Was read a third time, at length, and passed.

Yeas, 27; nays, 0.

Yeas :

Messrs :

Barbour	Heacock	Merritt	Reynolds
Blackmon	Hinson	Miller	Spragins
Forrester	Horton	Moody	Strother
Gardner	Jones	McWhorter	Thomas
Glenn	King	Overton	White
Hamner	Leith	Reese	Wilson
Hayes	Lusk	Reid	

—27.

The bill :

S. 583. To fix and increase the compensation for ex-officio services of the sheriff of Perry county, Alabama.

Was taken up.

Mr. Reynolds offered the following amendment :

Amend the bill by making same read as follows :

A bill to be entitled an act to authorize the court of county commissioners of Perry county, Alabama, to fix the ex-officio fees of the sheriff of said county.

Which was adopted.

Yeas, 27; nays, 2.

Yeas:

Messrs:

Barbour	Hamburger	King	Reese
Bayles	Hamner	Leith	Reynolds
Blackmon	Hayes	Lowe	Spragins
Forrester	Heacock	Merritt	Strother
Gardner	Hinson	Miller	Thomas
Glenn	Horton	McWhorter	Wilson
Gunn	Jones	Overton	

—27.

Nays: Messrs. Reid and Lusk—2.

And the bill, as amended, was read a third time, at length, and passed.

Year, 24; nays, 0.

Yeas:

Messrs:

Barbour	Jones	Moody	Spragins
Forrester	King	McWhorter	Strother
Glenn	Leith	Overton	Teasley
Hamburger	Lusk	Reese	Thomas
Hayes	Merritt	Reid	White
Heacock	Miller	Reynolds	Wilson

—24.

The bill:

S. 588. To authorize and empower the court of county commissioners of Butler county to contract for and place in the office of the various officers of said county telephones, writing machines and other mechanical devices as in the opinion of said court of county commissioners is necessary or expedient and to contract for and place in the jail and poor houses of said county such telephones as may be necessary.

Was read a third time, at length, and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Jones	Lusk
Forrester	Hayes	King	Merritt
Glenn	Heacock	Leith	Miller

Moody	Reese	Spragins	Thomas
McWhorter	Reid	Strother	White
Overton	Reynolds	Teasley	Wilson

—24.

The bill:

~~H. 888. To provide for the establishment of a branch of the circuit court of Barbour county; to define its powers and jurisdiction; to regulate the trial of causes therein and the drawing and summoning of juries and witnesses therefor.~~

Was taken up.

The following amendment offered by the committee, to-wit:

Amend by striking out the following words in section 8 of said bill, to-wit:

The provisions of this bill shall go into effect immediately after its approval by the governor.

Amend further by adding to said bill immediately after the last word in said bill the following words, to-wit:

Section 9. Be it further enacted, That before this act shall become effective the question of the establishment of the branch of the circuit court at Clio shall be submitted to the qualified voters of Barbour county at the next general election, and shall be ratified by a majority of said qualified voters. That there shall be printed on the ballots the words: "For branch court at Clio," and "Against branch court at Clio;" and upon the ascertainment of the result, if it shall appear that a majority of the qualified electors of said county have voted for the establishment of said court, the probate judge of Barbour county shall certify the fact and thereupon the provisions of this act shall go into immediate effect.

Was adopted.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Forrester	Hinson	Lusk	Reynolds
Gardner	Horton	Miller	Strother
Glenn	Jones	Moody	Teasley
Gunn	King	McWhorter	Thomas
Hamner	Leith	Overton	White
Hayes	Lowe	Reese	Wilson
Heacock			

—26.

And the bill, as thus amended, was read a third time, at length, and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 30; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Lusk	Reid
Bayles	Heacock	Merritt	Reynolds
Blackmon	Hinson	Miller	Spragins
Forrester	Horton	Moody	Strother
Gardner	Jones	McWhorter	Teasley
Glenn	King	Overton	Thomas
Gunn	Leith	Reese	White
Hamner	Lowe		

—30.

ADJOURNMENT.

Upon the motion of Mr. Lusk the Senate adjourned until 9 o'clock in the morning.

FORTY-FOURTH DAY.

Wednesday, July 24, 1907.

The Senate met pursuant to adjournment.
 Prayer by Rev. Mr. Brooks Lawrence, of Birmingham.

~~ROLL CALL.~~

Present:

Mr. President, and

Messrs:

Barbour	Hamner	Lusk	Reynolds
Bayles	Hayes	Merritt	Spragins
Blackmon	Heacock	Miller	Strother
Doster	Hinson	Moody	Teasley
Forrester	Horton	McWhorter	Thomas
Gardner	Jones	Overton	White
Glenn	King	Reese	Wilson
Gunn	Leith	Reid	Wimberly
Hamburger	Lowe		

—34.

JOURNAL.

Upon motion of Mr. Miller, the reading of the journal of yesterday was dispensed with, and the same was approved.

INTRODUCTION OF BILLS.

On a call of the districts, bills were introduced, read one time and referred to appropriate standing committees as follows:

By Mr. Strother:

S. 627. To authorize cities and towns in this State to extend their corporate limits and to provide the manner in which it may be done.

Municipalities and Municipal Organizations.

REPORTS OF COMMITTEES.

Mr. Miller, chairman of the standing committee on Finance and Taxation, reported that said committee

in session had acted on the following bills and ordered same returned to the Senate with a favorable report:

S. 202. (With substitute.) To provide for court stenographers, or official court reporters for the State of Alabama.

H. 1077. (With amendment.) To allow all foreign corporations liable to an annul franchise tax to deduct from their actual capital employed, or to be employed, in this State that part of such capital consisting of money loaned secured by recorded mortgages on real estate situated in this State.

Also,

H. 427. To appropriate four thousand dollars to the Plantersville high school, at Plantersville, Dallas county, Alabama, and to provide that the governor of Alabama be ex-officio president of the board of trustees, and that the superintendent of education of Alabama be ex-officio a member of the board of trustees, and to provide for the appointment by the governor of five other trustees.

Mr. Reynolds, chairman of the standing committee on Education, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report:

S. 424. To require the heads of all schools in this State to make annual reports to the State Superintendent of Education.

Mr. Horton, chairman of the standing committee on Agriculture, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report:

H. 113. (With amendment.) To regulate the ginning of cotton for toll or hire in this State; to require all ginnerers of cotton for hire or toll to register all cotton brought to their gins in the name of the owner thereof, so far as can be ascertained, and to require of ginnerers of cotton for hire or toll to mark every bale of cotton ginned by them with proper marks or initials of the owner thereof so that the same can be identified;

and to require the ginner to keep a register of said marks in a book which shall be open to the public for inspection, and to punish violators of said act.

Mr. Merritt, chairman of the standing committee on Local Legislation, reported that said committee, in session, had acted on the following bills and ordered same ~~returned to the Senate with a favorable report:~~

H. 892. (With amendment.) To further regulate the working of public roads in Bibb county, Alabama.

Also,

H. 133. To amend an act entitled an act to establish an inferior court in precincts 21 and 37 in Jefferson county, Alabama, in lieu of all justices of the peace and notaries public with powers of justices of the peace in said precincts, and to define the jurisdiction and powers of said court and the judge thereof, approved Sept. 26th, 1903.

Also,

H. 951. To vacate and annul Fifth street between Second and Third avenues; Sixth street between Second and Third avenues; Third avenue between Fourth and Sixth streets; the alley extending north and south in block eleven, and the alley running east and west in block eleven in the Pratt Land & Improvement Company's survey of East Thomas, Jefferson county, Alabama.

Also,

H. 950. To vacate and annul Stollenwreck avenue as shown on map of Village Land Company's survey of Jefferson county, Alabama, as a public street or highway, and to annul and extinguish the dedication thereof.

Also,

H. 953. (With amendment.) To provide how the salaries of circuit judges whose salaries are partly paid by the counties in which said judges hold court shall be paid.

Also,

H. 988. To fix the time and place where the tax assessor of Morgan county, Alabama, shall keep his of-

rice, and prescribing the number of rounds to be made by him in the county each year, for the purpose of assessing taxes and allowing him to fix the number of days to remain in the several precincts, for the purpose of assessing taxes, during the months of October and November in each year and requiring him to be at the court house of the county during the month of December in each year for the purpose of assessing the taxes of the county.

Also,

H. 1268. To allow the sheriff of Bullock county, Alabama, for fees for attendance upon the trial of any habeas corpus case before any judge or court, and to authorize the commissioners' court of said county to pay the same out of the general fund of the county treasury.

Also,

H. 1259. To amend sections 4, 13, 20, 17, 24, 25, and by adding section 28 1-2 to the provisions of an act entitled "An act to provide a road law for the county of Marengo and to enforce the same," approved February 26th, 1907.

Also,

H. 1218. To fix the time for the election of a solicitor for Jefferson county.

H. 1219. To increase the salary of the solicitor of Jefferson county to the sum of four thousand, five hundred dollars per annum, and provide for the payment of said salary.

Also,

S. 625. To provide for the construction, repairing, working and maintaining of the public roads of Henry county, Alabama, and to provide for the levying a special property and a per capita tax for same, and for the punishment of defaulters.

Also,

S. 619. For the relief of J. T. Ballow.

Also,

S. 620. For the relief of J. C. Webb, Jr., and J. T. Ballow.

Also,

S. 615. To amend section 2695 of the Code.

Also,

H. 273. (With amendment.) To fix the ex-officio fees of the clerks of the circuit court in the several counties of the State of Alabama, and to provide for the payment of same.

Also,

H. 924. (With amendment.) To divide the county of Hale into four commissioners' districts, and to provide for the election of a commissioner for each district.

Also,

H. 1010. To ratify and confirm the acts and contracts of the court of county commissioners of Russell county, or other authorized agents of said county, in borrowing money for the use and benefit of said county, and to ratify and confirm the warrants given on said contracts for money so borrowed.

Also,

H. 966. To amend sections 7, 8, 14, 21, 24, 27, 29 and 32 of an act entitled an act to establish a law and equity court for Madison county, approved February 26, 1907.

Also,

H. 889. To prohibit the operation of traction engines on the public roads of Bibb county, Alabama.

Also,

H. 1037. To ratify and confirm the acts and contracts of the court of county commissioners of Wilcox county, or other authorized agents of said county borrowing money for the use and benefit of said county, and to ratify and confirm the warrants given for money so borrowed, and for the interest thereon, and for warrants heretofore issued for said purpose.

Also,

H. 1009. To authorize the county of Russell to borrow money not exceeding the current revenue of said county for any one year in the discretion of the court of county commissioners of said county.

Also,

H. 894. To prohibit any person who holds the office of justice of the peace or any other office where authority is given to issue warrants of arrest from acting as attorney in cases where the complaint against the defendant was made before such person, and the warrant of arrest was issued by him, in his official capacity.

Also,

H. 1065. To vacate and annul the dedication of the following highways and parts of highways, situated in Birmingham, Jefferson county, Alabama, to-wit: All of Morris street from its beginning at Eighth street to its end abutting the property heretofore known as the Owen property; all of Eighth street from First avenue north to the right-of-way of the Alabama Great Southern Railroad Company; all of Minnie street from First avenue, north, to the end thereof abutting the property of the Tennessee Coal, Iron and Railroad Company.

Also,

H. 832. To vacate the dedication of all that part of Charles avenue lying north and east of the eastern line of Twelfth street as now located, between avenues "H" and "I" in the city of Birmingham, Jefferson county, Alabama, and which was dedicated as a public highway.

Also,

H. 1064. To vacate and annul the dedication of the following highways and parts of highways, situated in Smithfield, Jefferson county, Alabama, according to the plans and survey of Smithfield by Dr. Jos. R. Smith, Sr., to-wit: All that part of Thomas street lying between Valley Creek canal and Sally avenue. All of Joseph street lying between Valley Creek canal and Irene avenue. All of Mortimer street lying between Valley Creek canal and Agnes avenue. All of Agnes avenue lying between Valley Creek canal and Mortimer street.

Also,

H. 861. To authorize and empower the board of mayor and aldermen of the city of Bridgeport, Jackson county, Alabama, to release manufacutring establishments within said city from the payment of city taxes.

Also,

H. 1089. To require one round to be made by the tax collector and tax assessor of Blount county for the purpose of assessing and collecting taxes, said round to begin the first Monday of November of every year.

Also,

H. 1099. To amend section 3 of an act entitled "~~An act to establish a separate school district in Clarke county, Alabama, to be known as the Grove Hill school district, and to provide for the maintenance of the same,~~" approved March 4th, 1901.

Also,

H. 1101. To amend an act entitled an act to fix times and places of holding circuit court in the Seventh judicial circuit, approved October 3, 1903.

Also,

H. 820. To allow the boards of revenue or courts of county commissioners of the various counties of Alabama, to purchase and direct the keeping of blood-hounds for their counties.

Also,

H. 1042. To repeal an act entitled "An act to increase the number of grand and petit jurors in Winston county," approved February 7, 1885.

Also,

H. 1043. To repeal section two and three of an act "Entitled an act to repeal an act to increase the number of grand and petit jurors in Winston county, and to provide and designate the number of petit jurors drawn in said county," approved Dec. 10, 1886.

Also,

H. 891. (With amendment.) To provide for the election of the county commissioners of Bibb county, Alabama, and to prescribe their terms of office.

Also,

H. 923. (With amendment.) To provide that all confederate soldiers, sailors and their widows, who are now drawing a pension and who are over the age of eighty years, shall be entitled to and receive a pension of the first class.

Also,

H. 1297. (With amendment.) To fix the compensation to be allowed the sheriff of Butler county, Alabama, for empaneling grand juries, advertising and attending to elections in Butler county, and for all other public services and official duties for the compensation of which no express provision of law is made.

Also,

H. 870. To repeal an act entitled "An act to establish the county court of Coffee county with criminal jurisdiction in misdemeanor cases," approved February 8th, 1901, and all subsequent and amendatory acts relating to said court, and to transfer all the civil and criminal proceedings therein pending, together with all the dockets, papers and books relating to said cases in said county court of Coffee to the circuit court of Coffee county, Alabama.

Also,

H. 866. To extend and change the corporate limits of the town of Carrollton in Pickens county, Alabama.

Also,

H. 984. To fix the salary of the judge and the associate judge of the city court of Montgomery.

Also,

H. 1296. To authorize and empower the court of county commissioners of Butler county to employ a janitor for Butler county, who shall be under the control and direction of the sheriff of Butler county, to prescribe his duties and to provide for the payment of such janitor.

Also,

H. 1135. To repeal an "Act to provide for the establishing of a separate school district to be known as the Oxmoor district, at Oxmoor, in Jefferson county, Alabama, with certain powers and privileges of levying taxes to sustain said school," approved February 9, 1877.

Also,

H. 1008. To establish the law and equity court of Mobile.

Also,

H. 1267. To provide for the payment by the court of county commissioners of Bullock county, Alabama, out of the county treasury for removal fees, mileage and per diem for the removal of persons charged with misdemeanors.

Also,

H. 947. To regulate the fees of the sheriff for services in the county court of Conecuh county, Alabama.

Also,

H. 1001. To amend section 1 of an act entitled "An act to establish a new charter for the town of Hartselle in Morgan county," approved February 18th, 1899.

Also,

H. 1013. To provide for the payment out of the county treasury of Shelby county, Alabama, the sum of \$336.91 as the salary or compensation and expenses of the State examiner while engaged in making an examination of books and accounts of the various county officers of said county of Shelby as they pertain to the county affairs, and to make said claim a preferred claim against said treasury.

Also,

H. 1002. To amend section 4 of an act entitled, "An act to incorporate the town of Somerville in Morgan county, Alabama," approved February 3rd, 1872.

Also,

H. 1044. To alter or change the boundary line between the counties of Etowah and Calhoun, in the State of Alabama, and as altered to establish the same.

Also,

H. 1190. To repeal an act approved September the 30th, 1903, entitled an act to provide a better system, and more efficient working of the public roads of Bullock county.

Also,

H. 1040. For the relief of T. P. Sutherland, treasurer of Winston county.

Also,

H. 1112. To provide for the better construction, repairing, working and maintaining the public roads and bridges in Franklin county, Alabama.

Also,

H. 896. To repeal an act entitled "An act to authorize the commissioners' court of Butler county to order elections for the establishment of districts in which stock shall be prevented from running at large.

Also,

H. 895. To provide for the election of the county superintendent of education by a vote of the legal electors of Covington and Bullock counties, approved February 17th, 1885, so far as the same relates to Bullock county.

Also,

H. 1165. To amend an act entitled "An act to establish a separate school district to be known as the Elba school district in Coffee county, Alabama, and to provide for the management of the public schools in said district, approved February 28, 1901, as amended by an act approved September 28, 1903.

Also,

H. 1035. (With amendment.) To provide for the election of a county solicitor for Wilcox county, to define his duties and fix his compensation.

Also,

H. 1322. To provide for compulsory pilotage on all vessels and craft crossing the outer bar of Mobile bay, except vessels engaged in American coast-wise trade, and to repeal all laws in conflict herewith.

Also,

H. 1110. For the relief of H. Frederick, an ex-confederate soldier; to give the said H. Frederick the benefits granted under an act of the General Assembly of Alabama, approved February 10th, 1899, for the relief of needy confederate soldiers and sailors, resident citizens of Alabama, and to require the probate judge of Escambia county to place his name on the pension roll or list of ex-confederate soldiers in the county of Escambia.

Also,

H. 1126. To amend section 28 of an act entitled "An act to establish the city court of Bessemer," approved February 28th, 1901.

Also,

H. 1067. To vacate and annul the dedication of the following highways and parts of highways, situated in Jefferson county, Alabama, to-wit: All that part of the alleys lying and running through blocks 83, 122, 126 and 168, lying within one hundred feet of Fourteenth street and the continuation thereof, the said blocks being described according to the survey, map and plan of the city of Bessemer, by the Bessemer Land and Improvement Company, and situated in Bessemer, Jefferson county, Alabama. Also all that part of the alley in block B of Hall's addition to Bessemer, map of the plan and survey of which is recorded in the office of the judge of probate of Jefferson county, Alabama, in map book three at page twenty-three, which lies within two hundred feet of the continuation of Fourteenth street along the northwest boundary of said block, and situated in Jefferson county, Alabama; also all that part of Exeter avenue lying within one hundred feet of Fourteenth street in the city of Bessemer, Jefferson county, Alabama; also all that part of Seventeenth street lying between First avenue and Alabama avenue in the city of Bessemer, Jefferson county, Alabama; and also all the alleys lying within and running through blocks two hundred and one and two hundred and two in the city of Bessemer, Jefferson county, Alabama.

Also,

H. 1066. To vacate and annul the dedication of the following highways and parts of highways, situated in Jefferson county, Alabama, to-wit: All of Sadler avenue; the south half of Lucian avenue from the center of Emma street to the center of Telula street; all of Lucian avenue from center to Telula street to Eastern boundary of Ella street; all of Ella street lying south of a continuation of the south line of the alley running easterly and westerly through block twenty-five and north of center of Valley Creek canal; all of Telula street lying south of the center of Lucian avenue and north of center of Valley Creek canal; the east half of Telula street lying between the continuation of the south line of the alley running easterly and westerly

through block twenty-five and center of Lucian avenue all of Emma street lying south of the continuation of the south line of the alley running easterly and westerly through block twenty-eight and north of the center of Valley Creek canal; the east half of Emma street lying between a continuation of the south line of the alley running easterly and westerly through block twenty-eight and the center of Lucian avenue; and all the alleys in or through blocks twenty-nine, thirty, and thirty-one; all being located according to the survey, map and plan of Owenton, a map of which is recorded in map book two, page twenty-six, in the office of the probate judge of Jefferson county, Alabama.

Also,

H. 1095. To require the tax assessor and tax collector of Calhoun county, Alabama, to visit the voting places in each precinct in Calhoun county, Alabama, once in each year, for the purpose of assessing and collecting taxes; that said tax assessor and tax collector shall each keep his office open at the court house of said county from October the 1st to December the 31st of each year.

Also,

H. 955. To amend an act entitled "An act to regulate the city court of Birmingham in the practice and procedure in said court; to provide for judges thereof, their election, term of office, removal, power and salary; for the election, term of office, bond, removal and duties of the clerk and register thereof; and to provide suitable court rooms and places, dockets, stationery and other supplies for the holding of said court," approved February 26th, 1907.

Also,

H. 879. To dissolve the quarantine board of Mobile bay and provide for the disposition of its assets.

Also,

H. 1139. To repeal an act entitled, "An act to better provide for the working and maintenance of the public roads of Chambers, Lamar, Lawrence, Lowndes, Clay

and Cleburne counties," approved February 18th, 1899, so far as the same relates to Lamar county.

Also,

H. 1004. To repeal an act entitled an act to establish and define the boundary lines of Spring Hill school district, Pike county.

Also,

H. 1162. To amend ~~an act entitled an act to provide~~ for holding separate terms of the circuit court for Coffee county in the Twelfth judicial circuit at Enterprise for the following portions of Coffee county, to-wit: Township 3, range 22; township 4, range 22; township 5, range 22; township 3, range 21; township 4, range 21; the east one half of township three, range 20; the following sections in township four, range 20, to-wit: 13, 22, 23, 24, 25, 26, 27, 34, 35, 36; and all that portion of the territory in township 6, range 22; township 7, range 22; township 5, range 21; township 6, range 21, lying south of Pea river, and to regulate the holding of such court; to provide buildings and accommodations therefor, making its jurisdiction within such district exclusive of the jurisdiction it exercises when sitting at Elba, in said county of Coffee, defining the powers of the judge and the clerk thereof, and regulating the drawing of its grand and petit jurors, and providing for the transfer of causes from the circuit court at Elba to said court held at Enterprise, and from the latter to the former, approved February 28, 1907.

Also,

H. 874. To provide for and regulate the compensation to be paid teachers in the public schools of Walker county, Alabama.

Also,

H. 1017. To authorize Talladega county, Alabama, to build and construct macadam, chert and gravel public roads, and the necessary bridges, culverts and drainways therefor, and to issue bonds of said county to aid in the construction and building thereof.

Also,

H. 913. For the maintenance, improvement, and protection of the public roads and bridges of Cullman coun-

ty, Alabama, and to provide for a special road tax therefor; also, for the purchase of implements, teams and other things necessary in the construction and improvement of the same; to pay for the same either out of the general fund for the county or the special road and bridge fund; to provide for the appointment by the commissioners' court of said county, of a road superintendent or superintendents and surveyor or surveyors, fixing their pay, defining their duties, and conferring special powers on the commissioners' court of said county; providing for the method of employing hands and how certain parties may be required to take out a license for the use of said public roads; providing the method of appointing apportioners and overseers and defining their duties, and how they can be excused from serving as such; defining the road year and those liable to road duty, the time they may be required to work; describing the manner in which they may pay in lieu of work to the tax collector of said county, and his duty as to same, and the method of warning hands, and defining those who are exempt from road duty.

Also,

H. 1018. To authorize an election in the county of Talladega, to determine whether or not bonds in the sum of two hundred and fifty thousand dollars shall be issued by said county for the purpose of building macadam, chert and gravel public roads therein.

Also,

H. 1256. For the improvement of the public roads of Lowndes county.

Also,

H. 1191. To provide that the sheriff of Bullock county, Alabama, shall receive for empaneling grand juries, advertising and attending all elections in his county, and for all other public service not otherwise provided for, such sum as may be allowed by the court of county commissioners, to be paid out of the county treasury, not exceeding five hundred (\$500.00) dollars per annum.

Also,

H. 1299. To fix the compensation to be allowed to circuit clerks of Butler county, Alabama, for all official duties not otherwise provided for .

Also,

H. 1308. To amend sections 1, 2, 6, 7, 9, 10, 11, 15, 24, 25 and 38, of an act entitled an act to amend an act entitled an act to better provide for establishing, working and maintaining the public roads and bridges in Walker county, Alabama, approved March 6th, 1903.

Also,

H. 1119. To declare the ownership of all books of record, all books of every character kept by any officer of the circuit court of Henry county at Dothan and Columbia, and all papers of every character pertaining to any cause, civil or criminal, theretofore disposed of, or pending or originating in said courts and not finally disposed of, including indictments where no arrests had been made, at the time of the organization of the county of Houston to be the property of Houston county and same to be kept in the office of the clerk of the circuit court of Houston county; to give the circuit court of Houston county jurisdiction of all such causes, civil or criminal, including indictments, where no arrest had been made at the time of the organization of said Houston county, except where the defendant was at the time of the commission of the offense alleged, in what is now Henry county, in which latter event the circuit court of Henry county shall have jurisdiction of the offense; to prescribe the duties and powers of the clerk of the circuit court of Houston county and of the sheriffs of their respective counties with reference to the issuance of process and the execution thereof in such causes, and to ratify and confirm all orders and judgments and proceedings of the circuit courts of Henry and Houston counties in any of said causes, and the acts of the clerks of the circuit courts of said counties and of the sheriffs of their respective counties, within their powers and duties, in and about any of said causes, including the issuance of capias and arrests thereon, on indictments returned to said circuit courts of Henry county

at Dothan and Columbia, and to declare same of legal force and effect the same as though such cases had originated in said circuit courts of Houston or Henry counties.

Also,

H. 1053. To alter and rearrange the boundaries of the town of Pollard, extending the corporate limits of said town.

Also,

H. 1292. To require the court of county commissioners of Baldwin county to let to the lowest bidder, after due notice by publication, the road and bridge contracts in Baldwin county, provided said bidder gives bond for the faithful performance of contract.

Also,

H. 914. To vacate and annul those parts of avenues Nine and Ten, west, south of Ninth street, and those parts of Tenth, Eleventh and Twelfth streets, west of Eighth avenue, west, in the city of Cullman, Alabama.

Also,

H. 1295. To fix the compensation to be allowed the sheriff of Butler county, Alabama, for services rendered by the sheriff of Butler county, Alabama, in the county court of Butler county, and to provide for the payment of said compensation.

Also,

H. 1210. To repeal section 1 of an act to increase the criminal jurisdiction of justices of the peace in the counties of Limestone, Marion, Greene and Marshall, approved February 12, 1879, so far as Marion county is concerned; and to provide that justices of the peace and notaries public and ex-officio justices of the peace of Marion county shall have and exercise the jurisdiction given by the Code and general laws of the State.

Also,

H. 965. To fix the times and place of holding the chancery court in the Eighth district of the Northern division, composed of the county of Madison.

Also,

H. 1298. To authorize and empower the court of county commissioners of Butler county to contract for

and place in the office of the various officers of said county, telephones, writing machines, and other mechanical devices as in the opinion of the said court of county commissioners is necessary or expedient and to contract for and place in the jail and poor houses of said county such telephones as may be necessary.

Mr. McWhorter, chairman of the standing committee on Temperance, reported that said committee, in session, had acted on the following bills and ordered same returned to the House with a favorable report:

S. 618. To prohibit the sale, barter or exchange of spirituous, vinous or malt liquors, or other intoxicating drinks, in Henry county, and to provide punishment of violations of said act.

Also,

H. 1100. To prohibit the manufacture of spirituous or malt liquors in Cherokee county.

Also,

H. 1105. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, intoxicating bitters, cordials or other intoxicating drinks or beverages within four miles of Chappel Hill Missionary Baptist church, Cool Springs Missionary Baptist church and the Rutledge Methodist Episcopal church, south, provided, the incorporation limits of the Rutledge Methodist Episcopal church, south, shall not extend further east than the corporate limits of the town of Luverne, all in Crenshaw county, Alabama, to provide the time when it shall be in force and to fix the punishment for the violation thereof.

Also,

H. 1016. To repeal an act entitled an act to establish, maintain and regulate a dispensary in the town of Ragland, in St. Clair county, Alabama, for the sale of spirituous and vinous liquors, malt liquors, wines, ciders and other intoxicating liquors, and to create a board of directors for the purpose of better controlling and managing the sale of spirituous and vinous liquors, malt liquors, wines, ciders and other intoxicating liquors and for other purposes.

Also,

H. 1213. To amend section five of an act approved February 22nd, 1907, entitled "An act to prohibit the sale, barter, exchange, giving away, lending, delivering or otherwise disposing of spirituous, or malt liquors, intoxicating beverages, bitters or proprietary medicines in Lamar county, Alabama, and to prohibit the shipping into said county by any common carrier, and the bringing into said county by any person for the use of any other person than himself, any spirituous, vinous, or malt liquors, intoxicating beverages, or intoxicating bitters, or intoxicating proprietary medicines from any place within this State, and to prohibit the procuring for another or the taking or soliciting or receiving of orders for spirituous, vinous, or malt liquors, intoxicating beverages, intoxicating bitters, or intoxicating proprietary medicines, in said county, and to prohibit the giving of orders for spirituous, vinous, or malt liquors, intoxicating beverages, or intoxicating proprietary medicines in said county, and to prohibit the giving of orders for spirituous, vinous, or malt liquors, intoxicating beverages, or intoxicating bitters, or intoxicating proprietary medicines by any person in said county over and telegraph or telephone line, and to prohibit the receiving or sending by any telephone or telegraph company in said county of any order for spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters, or intoxicating proprietary medicines to any point within this State, and to provide penalties for all such prohibited acts, and to repeal all laws in conflict herewith.

Also,

H. 1059. To prohibit the sale, barter, exchange, giving away, lending, delivery, or otherwise disposing of spirituous, vinous or malt liquors, intoxicating beverages, bitters, cordials or proprietary medicines or alcoholic drinks in Sumter county, Alabama, provided this act shall not prevent its use for religious or sacramental purposes; and to prohibit the shipping into said county by any common carrier, and the bringing into said county by any person for the use of any person other

than himself any such spirituous, vinous or malt liquors, intoxicating bitters, intoxicating beverages, intoxicating cordials, or intoxicating proprietary medicines or alcoholic drinks from any place within this State, and to prohibit the procuring for another or the taking or soliciting or receiving orders for spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters, ~~intoxicating cordials~~, alcoholic drinks or intoxicating proprietary medicines in said county, and to prohibit the giving of orders for spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters, intoxicating cordials, or intoxicating proprietary medicines, or alcoholic drinks by any person in said county over any telegraph or telephone line, and to prohibit the receiving or sending by any telegraph or telephone company in said county of any order for spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters, intoxicating cordials, intoxicating proprietary medicines, or alcoholic drinks to any point within this State, and to prohibit any person, firm or corporation in the State of Alabama, from shipping into Sumter county, from any point in said State, spirituous, vinous or malt liquors, intoxicating bitters, intoxicating beverages, intoxicating cordials, intoxicating proprietary medicines or alcoholic drinks, and to provide penalties for all such prohibited acts, and to repeal all laws in conflict therewith.

Also,

H. 786. To authorize the town of Brockton in Coffee county, Alabama, to buy and sell spirituous, vinous and malt liquors, and to regulate the sale thereof.

Also,

H. 1106. To make it unlawful for any person to sell, give away or otherwise dispose of spirituous, vinous or malt liquors within three miles of the school house, known as the Powell school house, in beat six (6) of Crenshaw county, Alabama, and to punish violations of the same.

Also,

H. 1301. To prohibit the sale, barter, exchange or giving away of vinous, spirituous or malt liquors, or

other intoxicating drinks or beverages, in the county of Houston, in the State of Alabama; and to provide for an offense and a penalty for the sale, barter, exchange, or giving away of vinous, spirituous or malt liquor, or other intoxicating drinks or beverages in the said county of Houston.

Also,

H. 1102. To amend sections 8 and 10 of an act entitled an act to authorize the cities of Tuscumbia and Sheffield, and the towns of Leighton and Cherokee, in Colbert county, to establish and operate dispensaries in such incorporated cities and towns, for the purpose of buying and selling spirituous, vinous and malt liquors, and to provide for the distribution of certain profits arising therefrom, and to further regulate or prohibit the sale of such liquors in said county, approved February 15, 1907, and to amend said act by adding sections 19 and 20 thereto.

Also,

H. 1103. To amend section 9 of an act entitled an act to authorize the cities of Tuscumbia and Sheffield, and the towns of Leighton and Cherokee in Colbert county, to establish and operate dispensaries in such incorporated cities and towns, for the purpose of buying and selling spirituous, vinous and malt liquors, and to provide for the distribution of certain profits arising therefrom, and to further regulate or prohibit the sale of such liquors in the said county, approved February 15th, 1907.

Also,

H. 885. To amend an act entitled "an act to prohibit the sale, giving away or disposing of spirituous, vinous or malt liquors or any intoxicating bitters or beverages within one mile of Old Mt. Zion Baptist church, Barbour county," approved February 9th, 1897, and to provide a penalty for the violation of this act.

Mr. Bayles, chairman of the standing committee on Revision of Laws, reported that said committee in session had acted on the following bills and ordered same returned to the Senate with a favorable report:

H. 1055. For the relief of C. D. Horn; to authorize the court of county commissioners of Sumter county to issue a new warrant in favor of said C. D. Horn in lieu of warrant No. 12216, which was barred before being presented for payment.

Also,

H. 1082. To amend sections 4 and 12 of an act to better provide for the maintaining and keeping in repair the public roads of Escambia county, approved September 17, 1903.

Also,

H. 1221. To prohibit the running or operating of billiard or pool tables for the use of which money or other thing of value is charged, within the county of Madison, except within the corporate limits of the incorporated towns or cities thereof.

The foregoing bills contained in said committee reports were severally read a second time and placed on the calendar.

RESOLUTIONS.

Mr. McWhorter offered the following resolution, to-wit:

Be it enacted by the Senate of Alabama, the House of Representatives concurring, That when the two Houses adjourn at noon today, the adjournment shall be to 4 o'clock p. m. instead of to 3 o'clock p. m. as heretofore; in order to give standing committees of both Houses a chance to sit from 3 p. m. to 4 p. m.

Which was adopted.

ORDER TO PRINT.

On motion of Mr. Reese, five hundred copies of S. 589;

S. 589. To amend sections 1 and 3 of an act entitled an act "To prohibit the sale of adulterated cotton seed meal as fertilizer, to have the same analyzed and a guaranteed analysis printed on tags and tags attached to the bags containing the same, and in case of sales in bulk to have such analysis set forth in the contract of

sale and providing penalties and punishment for violations of the provisions of this act, approved March 2nd, 1907.

Were ordered printed.

SPECIAL ORDER.

On motion of Mr. Miller, H. 1077 was made a special order for the next legislative day at 10 o'clock a. m.

REPORT FROM THE COMMITTEE ON RULES.

Mr. Gardner, from the committee on Rules, reported Senate resolution No. 80 favorably with the following substitute:

1. That the morning session of the Senate be devoted to the call of special orders.
2. That the afternoon session be devoted to consideration of local bills until the call of districts is completed, and then to the calendar in order.
3. That during the evening session the roll be called when each Senator may call up one general bill or one local bill at his option.

That this rule take effect on the next legislative day.

Mr. Thomas offered the following as an amendment to the substitute, which was adopted, said amendment being in words as follows, to-wit:

Be it resolved by the Senate, That commencing on this afternoon's session the afternoon and evening sessions of the Senate for the remainder of this session, be devoted to the consideration of the regular calendar in the following order, to-wit: The roll is to be called in alphabetical order until completed and then recalled as often as completed, and each Senator upon the call of his name shall have the right to call up one general bill and one local bill or two local bills, as he may choose.

In the event the call of the roll is not completed at any one session, then at the following session the call shall commence at the name next after the last name called at the previous session.

Be it further resolved, That hereafter special orders shall be considered only at the morning sessions.

Also, the following resolution with an unfavorable report, which report was adopted:

Resolved, that Senate bill No. 419 amending section 1134 of the Code relating to mutual building and loan associations, be made a special order for twelve o'clock ~~of the next legislative day.~~

Also, with an amendment, Senate resolution No. 77, by Mr. Reese, as follows:

Resolved, by the Senate of Alabama, that S. B. 481 and H. B. 907, be set for special, paramount, continuing order for Thursday, July 25, at 12:30 o'clock and 12:40.

Said amendment being as follows: Making it Friday, July 26th, at 11 o'clock.

Which report was adopted.

Also favorably, with an amendment, Senate resolution No. 73, by Mr. Leith, as follows:

A motion is hereby made that S. B. 546 be set down for a special and continuing order for 10:45 a. m. for the next legislative day.

Said amendment being as follows: Making said order for 12:40 o'clock today.

Also, favorably, by Mr. Leith, Senate resolution No. 76, as follows:

Resolved, that H. 1129, to encourage water power development, and H. 1130, to encourage the manufacture of lime nitrogen, be made special orders for the next legislative day at 11 o'clock a. m. and from day to day thereafter at the same hour until disposed of.

Which report was adopted.

Also favorably, with an amendment, No. 78, by Mr. Overton, as follows:

Resolved, that S. B. No. 598 be made a special prompt and continuing order immediately after the report of the committees on Wednesday, July 24, 1907.

Said amendment being as follows: "At ten o'clock at the next legislative day."

Which report was adopted.

RESOLUTIONS.

Mr. Hinson offered the following resolution, which was referred to the committee on Rules:

Whereas, the effect of the present bankruptcy laws of the United States, by reason of the enforcement thereof, the interpretation put upon them and their execution in this State, work hardships upon the commerce of Alabama, tend to create uneasiness in business circles, and prove a loop-hole for those who desire to escape the payment of their just obligations.

Now, therefore, be it resolved by the Senate, the House concurring, That we do hereby petition our representatives in the Congress of the United States to aid in the effort to have the said bankruptcy statutes repealed.

NOTICE.

Notice is hereby given that I will upon the next legislative day move to take from the adverse calendar and put upon its second reading H. 929.

July 24, '07.

John W. Overton.

REPORT FROM THE COMMITTEE ON ENGROSSED BILLS.

Mr. President:

The committee on Engrossed Bills have examined the following Senate bills: 371, 603, and compared them with the original bills, respectively, and find same to be correctly engrossed.

Robt. E. Spragins,
Chairman.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bills and ordered same sent forthwith to the Senate without engrossment:

H. 390. To create "The Alabama Monument Commission."

H. 300. To regulate the jurisdiction of suits against non-residents or foreign corporations upon causes of action arising outside of this State, and the service of process on such non-residents of foreign corporations.

H. 1120. To amend sections two and three of an act entitled an act "Authorizing the court of county commissioners, upon petition filed and proof being made, ~~and authorizing the State auditor upon proper certificate and proof being furnished him by the judge of probate from the court of county commissioners, to refund to any person owning property subject to taxation in this State, money, which was not due for taxes, but was paid through a mistake or error, in the assessment, or collection of taxes,~~" approved September 29, 1903.

H. 1132. To amend section 8 of an act entitled "An act to confer and limit the powers of business corporations and to provide for their organization and regulation," approved October 2, 1903.

H. 564. To amend section 4797 of the Code of Alabama of 1896.

H. 192. To amend section 5001 of the criminal Code and to provide for the organization of a grand jury at adjourned term of the circuit or city courts.

H. 592. To prohibit the employment of any person to labor in or about any cotton factory in this State for more than ten hours a day.

H. 1025. To amend an act to provide for the inspection of jails and almshouses and cotton mills or factories, approved March 4, 1907, by adding section 12 to provide for office expenses of the inspector.

And has originated and passed the following bills:

H. 531. For the relief of Beverley Jackson, alias Beverley Green.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is given that at the next session of the Legislature of Alabama application will be made for the enactment of a law for the relief of Beverley Jackson,

alias Beverley Green, in this: Authorizing the payment by the State of Alabama of a reasonable compensation for labor performed by Beverley Jackson, alias Beverley Green, when illegally imprisoned and worked by the State from about June 10th, 1905, to about April 30th, 1906.

Dated Dec. 13th, 1906.

Beverley Jackson, alias, Beverley Green.

The State of Alabama, }
Barbour county. }

Before me, A. H. Merrill, a notary public in and for said county, personally came A. L. Muir, who, being sworn, says that he is the editor and proprietor of the Eufaula Times and News, a newspaper published in Eufaula, Barbour county, Alabama; that the notice, of which the attached is a copy, in relation to the application of Beverley Jackson, alias Beverley Green, for the passage by the Legislature of a local law for his relief, was published in said newspaper for three weeks, and was published more than three times in said newspaper; that said notice was published in said paper in its issues of the 20th of Dec. and in every issue of said paper up to and including the issue of the 3rd day of January, 1907.

A. L. Muir.

Sworn to and subscribed before me this—day of January, 1907.

A. H. Merrill,

H. 1314. To abolish and close the dispensary at Headland, Henry county, Alabama.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Is hereby given that I will introduce a bill in the present Legislature repealing the act under the general law establishing and providing for dispensaries in Henry county, Ala.

J. R. Vann.

The State of Alabama, }
Henry County. }

Before me, T. A. West, a notary public in and for said county, came O. E. Hanes, who, being duly sworn, deposes and says that he is owner and proprietor of the Headland Post, a newspaper published weekly in Headland, Henry county, Alabama, and that the following notice attached in the margin to the left of this affidavit was published in said Headland Post for four successive weeks, commencing on thirty-first day of January, 1907.

O. E. Hanes.

Sworn to and subscribed before me this the 10th day of July, 1907.

T. A. West,
Notary Public.

H. 1141. To repeal an act entitled an act to increase and regulate the fine and forfeiture fund of Lee county, and to provide for the payment of State's witnesses out of the same, approved March 4th, 1901.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Lee County. }

Before me, Orrin Brown, a notary public, in and for said county, personally appeared W. T. Wear, known to me to be one of the editors and publishers of the Opelika Daily News, a newspaper published in Opelika, Lee county, Alabama, who, being by me duly sworn, deposes and says that he is such editor and publisher, and that the following notice, to-wit:

LEGAL NOTICE.

Notice is hereby given that at the present session of the Legislature of Alabama, at the convening thereof in July, 1907, a bill will be introduced and its passage urged, the substance of which is to repeal an act entitled "An act to increase and regulate the fine and for-

feiture fund of Lee county, and to provide for the payment of State witnesses out of the same," approved March 4th, 1901. 20-27-4-11

Was published once a week for four consecutive weeks in said newspaper before making this affidavit.

W. T. Wear,
Editor and Publisher of the Opelika Daily News.

Sworn to and subscribed before me this 11th day of July, 1907.

Orrin Brown,
Notary Public, Lee County, Ala.

H. 1142. To repeal an act entitled an act to amend section 4715 of the Code of Alabama.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Lee County. }

Before me, Orrin Brown, a notary public in and for said county, personally appeared W. T. Wear, known to me to be one of the editors and publishers of the Opelika Daily News, a newspaper published in Opelika, Lee county, Alabama, who, being by me duly sworn, deposes and says that he is such editor and publisher, and that the following notice, to-wit:

LEGAL NOTICE.

Notice is hereby given that at the present session of the Legislature of Alabama, at the convening thereof in July, 1907, a bill will be introduced and its passage urged, the substance of which is to repeal an act entitled "An act to amend section 4715 of the Code of Alabama," approved February 21st, 1899.

Was published once a week for four consecutive weeks in said newspaper before making this affidavit.

W. T. Wear,
Editor and Publisher of the Opelika Daily News.

Sworn to and subscribed before me this the 11th day
of July, 1907.

Orrin Brown,

Notary Public, Lee County, Alabama.

H. 1316. To vacate, abolish and annul as alleys, streets or public highways, the following streets and alleys as shown and contained in the map of the property of the North Birmingham Land Company, in Jefferson county, Alabama, to-wit: the alleys running east and west through the center of blocks numbered 214 and 234 and lying between the west line of 14th street and the east line of 15th street; also that portion of Sixth avenue lying along the north of said block 214 and south of what is known as the Jonesville road, as now located at said point; also that portion of Seventh avenue lying between the west line of 14th street and the east line of 15th street; also that portion of 8th avenue lying west of the west line of 14th street and south of block 234; and to annul and extinguish the dedication thereof.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that at the next session of the Legislature of Alabama, which reconvenes on July 9th, 1907, there will be introduced for passage a bill which will be in substance as follows:

To vacate, abolish and annul as alleys, streets or public highways and to annul and extinguish the dedication thereof, the following alleys and streets as shown and contained in the map of the property of the North Birmingham Land Company, in Jefferson county, Alabama, to-wit:

The alleys running east and west through the center of blocks numbered 214 and 234, and lying between the west line of 14th street and the east line of 15th street; also that portion of 6th avenue lying along the north of said block 214 and south of what is known as the Jonesville road, as now located at said point; also that portion of 7th avenue lying between the west line of

14th street and the east line of 15th street; also that portion of 8th avenue lying west of the west line of 14th street and south of block 234.

The State of Alabama, }
Jefferson County. }

Before me, Nisbet Hambaugh, a notary public in and for said county and State, personally appeared James J. Smith, who being by me duly sworn, deposes and says that he is the manager and publisher of the Birmingham Ledger, a daily newspaper published in Jefferson county, Alabama, and that the foregoing notice hereto attached was published in said Birmingham Ledger once a week for four consecutive weeks prior to the making of this affidavit.

James J. Smith.

Sworn to and subscribed before me this 15th day of July, 1907.

Nisbet Hambaugh,
Notary Public.

H. 1160. To provide for guards for the Montgomery county jail, and to fix the compensation for such guards.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that a bill will be introduced in the Legislature of Alabama to enact a law authorizing a salary to the day and night jail guards of Montgomery county in the sum of seventy-five dollars per month each, to be paid from the treasury of Montgomery county. This June 4th, 1907. oaw 4t

The State of Alabama, }
Montgomery County. }

Personally appeared before me Brame Hood, who, being duly sworn, deposes and says that he is advertising manager for the Montgomery Journal; that the attached

notice of a bill to be introduced in the Legislature of Alabama to enact a law authorizing a salary to the day and night jail guards of Montgomery county in the sum of \$75.00 per month, as was published in the Montgomery Journal, a daily newspaper published in Montgomery, Alabama, once a week for four weeks as required by law.
Brame Hood.

Sworn to and subscribed before me this 10th day of July, 1907.
B. C. Young, J. P.

H. 1275. To provide for the transfer to the Morgan county law and equity court of all causes pending in the chancery court of Morgan county, Alabama, at the time of the approval of this act, and to provide for the trial of said causes so transferred.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

(Exhibit "A.")

NOTICE.

Notice is hereby given that at the July session of the Legislature of Alabama a bill will be introduced, the substance of which will be: That all causes pending in the chancery court of Morgan county, Alabama, at the time this act is approved, may be transferred to the Morgan county law and equity court of Morgan county, Alabama, upon written request to the register of said chancery court, by either the complainant or defendant, or their agents or solicitors, at any time within ninety days after the approval of this act; that when the cause so transferred is entered upon the docket of the Morgan county law and equity court, said court shall have and exercise exclusive jurisdiction of said cause.

W. H. Long, Jr.
A. J. Harris,
S. A. Lynne.

The State of Alabama, }
 Morgan County. }

Before me, Frank J. Davis, a notary public in and for said State and county, this day personally appeared Harold E. Hildreth, who, being by me duly sworn, deposes and says that he is the publisher of the New Decatur Advertiser, a newspaper published in New Decatur, Morgan county, Alabama; that notice of the intention to apply to the present session of the Legislature of Alabama for the passage of an act to provide for the transfer to the Morgan county law and equity court of all causes pending in the chancery court of Morgan county, Ala., and to provide for the trial of said causes so transferred, has been published without cost to the State of Ala., in said newspaper once a week for four consecutive weeks, beginning with the 20th day of June, 1907, issue of said paper, and appearing in the issues of June 20th, June 27th, July 4th and July 11th, 1907, respectively, and concluding with the July 11th issue of said paper; that the notice herein referred to, stated the substance of said proposed act as is shown by a copy of said notice as published and appearing in each of the issues of said paper as hereinabove stated, and which said copy is hereto attached and marked exhibit A and made a part of this affidavit.

Harold E. Hildreth.

Sworn to and subscribed before me this July 11, 1907.

Frank J. Davis,
 Notary Public.

H. 1273. To provide for the transfer of all causes charging the commission of a misdemeanor, presented by indictment by the grand jury of the circuit court of Morgan county, Ala., to the Morgan county law and equity court of Morgan county, Ala., and to provide for the trial and proceedings in said causes.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

Notice is hereby given that a bill will be introduced at the July session of the Legislature of Alabama, the substance of which will be provide for the transfer of all cases charging the commission of a misdemeanor, presented by indictment by the grand juries of the circuit court of Morgan county, Alabama, to the Morgan county law and equity court of Morgan county, Alabama, and to provide for the trial and proceedings in said Morgan county law and equity court in said causes so transferred; that all cases in which indictments have been found by the grand jury of said circuit court subsequent to February 25, 1907, and still pending undetermined, charging a misdemeanor, within ten days after the approval of this act, shall be transferred for trial to said Morgan county law and equity court, which said court shall have exclusive jurisdiction of all of said causes; that all indictments hereafter found by the grand jury of said circuit court, charging the commission of a misdemeanor, shall be made returnable to said Morgan county law and equity court.

W. H. Long, Jr.
A. J. Harris,
S. A. Lynne.

(Exhibit "A.")

The State of Alabama, }
Morgan County. }

Before me, Frank J. Davis, a notary public in and for said State and county, this day personally appeared Harold E. Hildreth, who, being by me duly sworn, deposes and says that he is the publisher of the New Decatur Advertiser, a newspaper published in New Decatur, Morgan county, Alabama; that notice of the intention to apply to the present session of the Legislature of Alabama for the passage of an act to provide for the transfer of all cases charging the commission of a misdemeanor presented by indictment by the grand jury of the circuit court of Morgan county, Ala., to the Morgan county law and equity court of Morgan county, Ala., and to provide for the trial and proceedings in said

causes; has been published without cost to the State of Ala., in said newspaper once a week for four consecutive weeks, beginning with the 20th day of June, 1907, issue of said paper, and appearing in the issues of June 20th, June 27th, July 4th and July 11th, 1907, respectively, and concluding with the July 11th issue of said paper; that the notice herein referred to, stated the substance of said proposed act as shown by a copy of said notice as published and appearing in each of the issues of said paper as hereinabove stated, and which said copy is hereto attached and marked exhibit A and made a part of this affidavit. H. E. Hildreth.

Sworn to and subscribed before me this July 11, 1907.

Frank J. Davis,
Notary Public.

H. 378. To amend sections 1321 and 1322 of the Code of 1896, as amended by the act approved March 7th, '07. And sends the same to the Senate.

H. 900. To amend sections 2, 3, 6, 10, 11 (as amended March 2, 1901), 12, and 18 (as amended March 2, 1901) of "An act to establish a county court for the county of Clay," approved Dec. 13, 1898.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Clay County. }

Before me, S. Y. Lamberth, clerk of the circuit court of Clay county, Alabama, on this July 3, 1907, personally appeared T. B. Jordan, who being duly sworn, deposes and says that he is the publisher of The Standard, a newspaper published each week at Ashland, in Clay county, Alabama, and he further deposes and says that the accompanying attached notice has been published for four consecutive weeks in the said newspaper, published in Clay county, Alabama, said notice being published in

the following issues of said paper: June 7, 1907; June 14, 1907; June 21, 1907; and June 28, 1907.

This July 3, 1907.

T. B. Jordan.

Sworn to and subscribed before me, this July, 3, 1907.

S. Y. Lamberth,

Circuit Clerk, Clay County, Ala.

NOTICE.

Notice is hereby given that application will be made to the present Legislature of Alabama for the passage of a bill, the substance of which is to amend an act "To establish a county court for the county of Clay," approved Dec. 13, 1898, and amended Mar. 2, 1901, as follows:

Amend section 2 of said act by making the office of judge of the county court of Clay county elective on and after 1910; the judge to be elected by the qualified electors of Clay county at the general election in Nov., 1910, and every six years thereafter, and shall hold office six years from second Monday in Jan. 1911, or until his successor is elected and qualified; also insert words "or elected" after words "so appointed by the governor" in said section.

Amend section 3 by inserting words "or election" after word "appointed" wherever it occurs in said section and omit words "during the unexpired term of his predecessor, and."

Amend section 6 by substituting "Friday" for "Saturday" where it occurs in said section.

Amend section 10 by making the office of solicitor of said court elective on and after 1910; and term of his office 4 years; a solicitor for said court to be elected by qualified voters of Clay county in general election, Nov. 1910, and every four years thereafter who shall hold office for four years from second Monday in Jan. 1911, or until his successor is elected and qualified; also insert words "or election" after "his appointment" where they occur in said section; also omit all of original section '0 after the words—"in said circuit courts."

Amend Sec. 11 (as amended Mar. 2, 1901) by saying grand and petit juries shall be drawn by the judge and clerk of said court in the same manner as is now, or may hereafter be provided by law for drawing juries for circuit courts of the State; but that not exceeding 24 petit jurors shall be drawn for any one week; and omit from said section the words "except that the drawing of all juries under any section of this act shall be by the judge and clerk of said court."

Amend section 12 by providing that all appeal and certiorari cases brought to said court shall be tried without a jury unless one is demanded by appellant within 7 days after appeal is taken or by appellee within 7 days after service on him of notice of appeal. Said demand to be in writing and filed with the clerk of said court.

Amend section 18 (as amended Mar. 2, 1901) by making the judge's salary \$1,500 per annum, payable in equal monthly installments by the State, as salaries of circuit judges of the State are now paid.

By Mr. Carmichael, of Clay, (with notice and proof):

H. 1315. To establish a dispensary in and for the town of Andalusia, in the county of Covington, in the State of Alabama, and to provide for the conduct and regulation of the same.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that application will be made and a bill introduced at the adjourned term of the present session of the Legislature of Alabama, which reconvenes on the 9th day of July, 1907, for the passage of a law to establish in the corporate limits of the town of Andalusia, in the county of Covington, State of Alabama, a dispensary for said the town of Andalusia, to be conducted and carried on by said town in its corporate capacity, for buying and selling spirituous, vinous and malt liquors, in which said law provisions will be made for the selection, appointment and employment of a dis-

penser, commissioners and others officers and agents to operate, conduct and carry on the business of said dispensary for said the town of Andalusia, and also for the management, regulation and operation of said dispensary, and also for the disposition of the revenues derived from the operation of said dispensary; and also to ~~prohibit the sale of spirituous, vinous or malt liquors or intoxicating beverages of any kind within the limits of the town of Andalusia, except as in said act provided.~~

W. M. Knox.

The State of Alabama, }
Covington County. }

Before me, J. M. Robinson, Jr., judge of probate, in and for said State and county, this day personally appeared Edward Doty, who, being duly and legally sworn, deposes and says: That he is the editor and proprietor of The Andalusia News, a newspaper published weekly at Andalusia, in Covington county, Alabama, and that the above and foregoing notice has been published once a week for four (4) consecutive weeks in said newspaper, beginning with the issue of May 23rd, 1907.

Edward Doty.

Sworn to and subscribed before me, this the 8th day of July, 1907.

J. M. Robinson, Jr.,
Judge of Probate.

H. 1090. To create the sixteenth judicial circuit for the State of Alabama, to be composed of the counties of Blount, Etowah and St. Clair, to confer equity jurisdiction on said court as to matters arising in Blount and St. Clair counties, and to provide for registers in chancery therein; to provide for the appointment and election of a judge and solicitor for said circuit and fix their salaries, and for the removal of pending causes and for the remanding of pending appeals to the new court; to regulate the convening of grand and petit juries in said circuit and to authorize the judge of said circuit to adopt reasonable rules of practice to facilitate the business of the courts therein; to fix the time of holding

courts in said circuit and places at which such courts shall be held and to require that a jury be demanded in civil causes.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Blount County. }

Personally appeared before me the undersigned authority, F. G. Stephens, who, being first duly sworn, doth depose and say that he is the owner and publisher of the Southern Democrat, a weekly newspaper published in said Blount county, Alabama, and that notice was given in said paper for four consecutive weeks, beginning June 6, 1907, of the intention to introduce a bill to create the sixteenth judicial circuit for Alabama at the present session of the Legislature and setting forth the substance of the proposed bill, a copy of which is hereto attached.

F. G. Stephens.

Sworn to and subscribed before me this July 6, 1907.

W. A. Weaver,
Notary Public.

The State of Alabama, }
St. Clair County. }

I, George R. Cather, publisher of the Southern Aegis, a weekly newspaper published in St. Clair county, Ala., solemnly swear that notice of the application for the passage of a law to create the sixteenth judicial circuit for Alabama composed of the counties of Blount, Etowah, and St. Clair, providing for the election and appointment of officers, designating times and places of holding courts, defining jurisdiction and powers of said courts, etc., which notice is hereto annexed as a part of this oath, appeared in the Southern Aegis for four consecutive weeks and circulated through the mail or by delivery each week in the regular mailing manner to its

subscribers, beginning on the 5th day of June, 1907, and ending on the 5th day of July, 1907, inclusive.

George R. Cather.

Sworn to and subscribed before me, Jas. M. Garrett, clerk of the circuit court of St. Clair county, Alabama, this 26th day of June, 1907. Jas. M. Garrett, Clerk.

NOTICE.

A bill will be introduced at the present session of the Legislature in substance as follows: To create the 16th judicial circuit of Alabama, composed of the counties of Blount, Etowah, and St. Clair; to designate the times and places of holding court therein; to provide for the appointment and election of a judge and solicitor thereof and fix their salaries; to confer equity jurisdiction on said court in Blount and St. Clair; to provide for registers in chancery therein and fix their duties and fees; to provide for removal of pending causes and the remanding of pending appeals and for jury and non-jury terms of court therein and for the call of the equity docket thereof not less than three times a year and for giving notice of same by register; that in Etowah no grand jury shall be drawn except by order of the judge; to authorize the judge of same to adopt reasonable rules of practice therefor; civil cases shall be triable without jury unless a jury be demanded by defendant within fifteen days from service.

NOTICE.

A bill will be introduced at the present session of the Legislature in substance as follows: To create the 16th judicial circuit of Alabama, composed of the counties of Blount, Etowah, and St. Clair; to designate the times and places of holding court therein; to provide for the appointment and election of a judge and solicitor thereof and fix their salaries; to confer equity jurisdiction on said court in Blount and St. Clair; to provide for reg-

isters in chancery therein and fix their duties and fees; to provide for removal of pending causes and the remanding of pending appeals and for jury and non-jury terms of court therein and for the call of the equity docket thereof not less than three times a year and for giving notice of same by register; that in Etowah no grand jury shall be drawn except by order of the judge; to authorize the judge of same to adopt reasonable rules of practice therefor; civil cases shall be triable without jury unless a jury be demanded by defendant within fifteen days from service.

The State of Alabama,)
County of Etowah. }

On this the 6th day of July, 1907, personally appeared Chas. E. Meeks, who, being duly sworn, doth depose and say, that he is general manager of the Times-News, a newspaper published in the city of Gadsden, county and State aforesaid, that the notice hereto attached, clipped from the columns of said newspaper, was published in said newspaper once a week for four consecutive weeks, on dates as follows: beginning June 6, 1907.

Chas. E. Meeks,
General Manager.

Sworn and subscribed before me this 6th day of July, 1907.

Alto V. Lee, Jr.,
Notary Public, Etowah County.

NOTICE.

A bill will be introduced at the present session of the Legislature in substance as follows: To create the 16th judicial circuit of Alabama, composed of the counties of Blount, Etowah, and St. Clair; to designate the times and places of holding court therein; to provide for the appointment and election of a judge and solicitor thereof and fix their salaries; to confer equity jurisdiction on said court in Blount and St. Clair; to provide for registers in chancery therein and fix their duties and fees; to provide for removal of pending causes and the re-

manding of pending appeals and for jury and non-jury terms of court therein and for the call of the equity docket thereof not less than three times a year and for giving notice of same by register; that in Etowah no grand jury shall be drawn except by order of the judge; to authorize the judge of same to adopt reasonable ~~rules of practice therefor~~; civil cases shall be triable without jury unless a jury be demanded by defendant within fifteen days from service.

H. 641. To appropriate \$1,500 to the Eclectic high school.

And sends the same to the Senate.

H. 229. To provide for official stenographic reporters in the several circuit courts in the State of Alabama, and to provide for their compensation and prescribe their duties, and provide a penalty for the violation of the provisions of this act.

And sends the same to the Senate.

H. 1227. For the relief of T. H. Dunn, J. H. Pinckard and Wylie Hill, ex-confederate soldiers of Chambers county.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE OF SPECIAL LAW.

Notice is hereby given that a bill will be introduced in the Legislature of Alabama, when it meets in July, 1907, requiring the probate judge of Chambers county to place or cause to be placed the names of T. H. Dunn, J. H. Pinckard and Wiley Hill on the pension list of the ex-confederate soldiers of the county, and to be continued on the list of pensioners from year to year in class No. 4.

May 13th, 1907.

33-1w

The State of Alabama, }
 Chambers County. }

S. H. Oliver, being duly sworn, deposes and says that he is the proprietor and publisher of the LaFayette Sun, a weekly newspaper published at LaFayette, in Chambers county, Alabama, and that the foregoing notice of a special law relating to pensions for T. H. Dunn, J. H. Pinckard, and Wiley Hill, has been published in the LaFayette Sun for four consecutive weeks, beginning with the issue of said paper for May 13th, 1907.

S. H. Oliver.

The State of Alabama, }
 Chambers County. }

Before me, E. M. Oliver, a notary public in and for said county in said State, personally appeared S. H. Oliver, known to me, who, being duly sworn, deposes and says that the facts stated in the foregoing affidavit are true.

Given under my hand this the 6th day of July, 1907.

E. M. Oliver,
 Notary Public.

H. 1228. For the relief of T. W. Smith, clerk of the circuit court of Autauga county, Alabama.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

(Copy.)

The State of Alabama, }
 County of Autauga. }

Before me, J. R. Thomas, a notary public in and for said State and county, personally appeared Chas. T. Kent, who, being duly sworn, deposes and says: That he is the manager of the "Prattville Progress," a weekly newspaper published in Prattville, Autauga county, Alabama, and that the foregoing notice (a printed copy of which is as follows):

NOTICE.

Notice is hereby given that at the July session of the Legislature of Alabama a bill will be introduced for passage in substance as follows: For the relief of T. W. Smith, clerk of the circuit court of Autauga county, ~~to arrange for refunding to him \$28.50, paid into the State treasury by mistake as solicitor's fee in the case of the Town of Prattville vs. Alvin Olderson.~~

Has been published in said newspaper once a week for four consecutive weeks, before the making of this affidavit.

Chas. T. Kent, Manager.

Sworn to and subscribed before me this 15th day of July, 1907.

J. R. Thomas,
Notary Public.

H. 1229. To authorize the board of directors of the State Normal School of Jacksonville, for and in behalf of said Normal School and for and in behalf of the State of Alabama, to sell and convey to the mayor and city council of Jacksonville, a certain house and lot on or near the southeast corner of the public square of the town of Jacksonville, Alabama, the same being the house and lot formerly used and occupied by Calhoun county as a county court house, and now used by said Normal School for school purposes; the proceeds of said sale to be used and applied by said board of directors of the State Normal School at Jacksonville, for the benefit of said Normal School.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Calhoun County. }

Personally appeared before me, H. H. Montgomery, a notary public in and for said county, the undersigned, Walter J. Clark, who, being by me duly sworn, doth depose and say that he is the publisher of The Jacksonville Record, a weekly newspaper published in Jacksonville, Calhoun county, Alabama, and that the notice, of which

the following is a true and correct copy, was published once a week for four consecutive weeks in said newspaper, beginning on the 14th day of June, 1907, viz.:

NOTICE.

"Notice is hereby given that application will be made to the present Legislature of Alabama, the adjourned session of which meets on the 9th day of July, 1907, to pass an act authorizing the "Board of Directors of the State Normal School at Jacksonville," for and in behalf of said normal school and for and behalf of the State of Alabama, to sell and convey to the mayor and city council of Jacksonville, a certain house and lot on or near the southeast corner of the public square of the town of Jacksonville, Alabama, the same being the house and lot formerly used and occupied by Calhoun county as a county court house, and now used by said normal school for school purposes. The proceeds of said sale shall be used and applied by said "Board of Directors of the State Normal School at Jacksonville" for the benefit of said normal school."

Walter J. Clark.

Sworn to and subscribed before me on this the 15th day of July, 1907.

H. H. Montgomery,
Notary Public.

H. 1293. To allow the selling, or otherwise lawfully disposing of, lager beer by the proprietor, or manager, of the Park Hotel to be erected at Montrose in Baldwin county.

And sends the same to the Senate, with notice and proof attached and herewith exhibitd as follows:

NOTICE.

Notice is hereby given that a bill will be introduced in the present Legislature, to assemble on July 9th, '07, to repeal the prohibition law in so far as regards the

sale of beer by the proprietor or manager of the Park Hotel to be erected at Montrose, Baldwin county, Ala.

The State of Alabama, }
Baldwin County. }

W. C. Dinwiddie, being duly sworn, deposes and says that he is the publisher of The Baldwin Times, a weekly newspaper published at Bay Minette, Baldwin county, Alabama, that the notice of a bill to be introduced in Alabama Legislature permitting sale of beer at Montrose, Ala., a copy of which is hereto attached, was printed in said paper for 4 consecutive weeks, beginning with the issue dated 21st day of June, 1907.

W. C. Dinwiddie.

Subscribed and sworn to before me, this 13th day of July, 1907.

James M. Voltz,

Clerk of the Circuit Court of Baldwin county, Ala.

H. 1214. For the relief of Mrs. M. A. Jones, widow of an ex-confederate soldier.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE OF SPECIAL LAW.

Notice is hereby given that a bill will be introduced at the adjourned session of the present Legislature of the State of Alabama, when it convenes in July, to authorize the State auditor to draw a warrant on the treasury of Alabama for thirty dollars, for the relief of Mrs. M. A. Jones, widow of an ex-confederate soldier, for the year 1906, who was on the pension rolls prior to 1906, and whose name was dropped from pension rolls through mistake. And to further authorize the probate judge of Chambers county, and other pension officers of the State to restore the name of said pensioner, Mrs. M. A. Jones, to the pension rolls.

June 17th, 1907.

J. A. Hines.

38.4w.

The State of Alabama, }
Chambers County. }

Before me, A. J. Driver, Jr., judge of probate in and for said county and State, personally appeared S. H. Oliver, owner and publisher of the LaFayette Sun, a newspaper published in said county, who, being by me first duly sworn, says on oath that the notice hereto attached, the above being a true copy of same, relating to a special act for the relief of Mrs. M. A. Jones, widow of an ex-confederate soldier, made its first appearance in my newspaper June 19th, 1907, and ran for four consecutive weeks therein, making its last appearance July the 10th, 1907, and without cost to the State.

Sam H. Oliver.

Sworn to and subscribed to before me this 10 day of July, 1907.

A. J. Driver, Jr.,
Judge of Probate.

H. 1305. To fix the salary of the county treasurer of Walker county, Alabama.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that application will be made to the Legislature of Alabama, when the same convenes in July, 1907, for the passage of the following bill, to-wit.

An act to be entitled an act to fix the salary of the county treasurer of Walker county, Ala.

Sec. 1. Be it enacted by the Legislature of Alabama, That after the expiration of the present incumbent, or his successor, for the present term, the salary of the county treasurer for Walker county, Ala., shall be \$2,000.00 annually to be paid in all respects as the salary is at present paid to the county treasurer.

Sec. 2. Said salary shall be paid in equal monthly installments upon warrants approved by the court of county commissioners payable to the county treasurer.

Sec. 3. Be it further enacted, That all laws and parts of laws in conflict with the provisions here be, and the same are hereby repealed.

The State of Alabama, }
Walker County. }

Before me, E. W. Long, clerk of the circuit court in and for said State and county, personally appeared J. W. Young, who, being duly sworn, says on oath that he is editor and publisher of the Walker County News, a newspaper published in Walker county, Alabama, and that the attached notice was published in said newspaper once a week for four consecutive weeks prior to the present session of the Alabama Legislature.

J. W. Young.

Sworn to and subscribed before me this the 15th day of July, 1907.

E. W. Long,
Clerk.

H. 1104. For the relief of Mary Marley, Mary J. Simpler, widows of confederate soldiers, and A. Campbell, a confederate soldier, being residents of Crenshaw county, Alabama.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

A BILL

For the relief of Mary Marley, widow of a confederate soldier, being a resident of Crenshaw county, Alabama.

Whereas, Mary Marley, Mary J. Simpler, and A. Campbell has long been on the pension roll for Crenshaw county, Alabama, but for the year 1906 her name was dropped from said roll through mistake.

Section 1. Be it enacted by the Legislature of Alabama, That the State Auditor be and is hereby requested to draw his warrant on the Treasurer of Alabama for thirty dollars for said pensioner for the year 1906 to be paid by the State Treasurer out of any balance in the pension fund of the State.

Sec. 2. That the probate judge of Crenshaw county, Alabama, and the other pension officers are hereby requested to reinstate the name of said pensioner on the pension roll.

The State of Alabama, }
Crenshaw County. }

Personally appeared before me, M. N. Rushton, a notary public in and for said county, W. B. Howard, who, being duly sworn, says on oath that he is the editor and publisher of the Crenshaw County Critic, a newspaper published in said county, and that the printed notice hereto attached, was published in said Crenshaw County Critic once a week for four consecutive weeks before this date. This 8th day of July, 1907.

W. B. Howard.

Subscribed and sworn to before me this 8th day of July, 1907.

M. N. Rushton,
Notary Public.

H. 1155. To prevent and punish any person, firm or corporation, residing in or doing business within any stock law district in Covington county enclosed by any fence or fences, from turning any stock prevented from running at large within such stock law district, in or on any territory within said county where any such stock are prohibited by law from running at large in non-stock law districts in said county; making the violation of such act a misdemeanor, and providing that the act take effect from and after its passage and approval by the governor.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

To whom it may concern:

At the adjourned session of the Legislature of Alabama, convening on July 9th, 1907, a bill will be introduced and an effort made to have the same enacted in-

to law, for the county of Covington, which will be in substance, to-wit: An act, to prevent and punish any person, firm or corporation residing in or doing business within any stock law district in Covington county enclosed by any fence or fences, from turning any stock prevented from running at large within such stock law district in or on any territory within said county where ~~any such stock are not prohibited by law from running~~ at large, or permitting such stock to run at large in non-stock law districts in said county; making the violation of such act a misdemeanor, and providing that the act take effect from and after its passage and approval by the governor."

The State of Alabama, }
Covington County. }

I, A. Whaley, register in chancery, in and for said county, do hereby certify that on this day personally appeared before me A. R. Powell, who, being first duly sworn, doth, on oath, depose and say that he is one of the editors and publishers of The Andalusia Times, a newspaper published in said county regularly and weekly; that the notice, of which the above and foregoing is a copy, was published in said newspaper for four consecutive, regular and weekly issues, on Wednesday of each said weeks, and ending on and including the last issue of said paper of July 3rd, 1907.

A. W. Powell.

Sworn to and subscribed before me, this the 8th day of July, 1907.

A. Whaley,
Register in Chancery.

H. 1138. To appropriate the sum of \$21.60 for the year 1904 and the further sum of \$30.00 for the year 1905 and the further sum of \$30.00 for the year 1906, total \$81.60, to Mary Morris, widow of John Morris, an ex-confederate soldier, as a confederate pensioner for said years, her name having been erroneously omitted from the lists of pensioners for said years.

And sends the same to the Senate.

H. 1252. To fix the time of holding the circuit court in the county of Lawrence in the Eighth judicial circuit of Alabama.

And sends the same to the Senate.

H. 985. For the relief of Walter Carter Company on unexpired license as future dealers.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Montgomery County. }

Before me, Rica Alexander, a notary public in and for said State and county, personally appeared V. H. Hanson, who is known to me and who being by me first sworn, deposes and says as follows: That he is advertising manager of The Montgomery Advertiser, a newspaper published in the city of Montgomery, Alabama; that the attached advertisement correctly appeared in The Montgomery Advertiser in issues May 9, 16, and 30, 1907.

V. H. Hanson.

Subscribed and sworn to before me this the 3rd day of July, 1907.

Rica Alexander,
Notary Public, Montg. Co., Alabama.

NOTICE.

Notice is hereby given that a bill will be introduced at the adjourned session 1907, of the Legislature of Alabama, which reconvenes in July, which bill is in substance as follows:

Whereas, Walter Cotter Company were licensed by the State of Alabama to do business as future dealers for the year 1907 in the city of Montgomery, Alabama, for which said Walter Cotter Company paid the sum of \$500.00; and,

Whereas, by act of Legislature, approved March 7th, 1907, said license was canceled and an additional license of \$5,000.00 was imposed upon said Walter Cotter Company to do business as future dealers; and,

Whereas, said Walter Cotter Company declined to pay said additional license and ceased to do business on April 6, 1907, leaving an unexpired term of eight months and twenty-four days under said license;

Therefore, Be it enacted by the Legislature of Alabama, That the auditor is hereby authorized to draw his warrant in favor of said Walter Cotter Company on the treasurer of the State of Alabama for the sum of \$360.00, being the amount of said license unexpired on April 6th, 1907.

Louis Loeb.

H. 898. To prohibit the sale of wine in the city of Thorsby, Alabama, in quantities less than one gallon; to prohibit the drinking of wine on the premises where sold, or in a room adjoining the premises where sold; and to provide that any person violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not less than ten dollars and costs for each offense; and repealing all laws and parts of laws in conflict with this act.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Chilton County. }

I, Wallace C. Elder, editor and publisher of The Union, a newspaper published in Chilton county, Alabama, hereby certify that the following notice:

TO WHOM IT MAY CONCERN.

Notice is hereby given that a bill will be introduced in the Legislature of Alabama, to be entitled an act to prohibit the sale of wine in the city of Thorsby, Alabama, in less quantities than one gallon; prohibiting the drinking of wine on premises where sold or in a room adjoining the same, and providing that any person violating the provisions of said act shall be guilty of a misdemeanor, and upon conviction shall be fined not less than ten dol-

lars and costs for each offense; and fixing the State license for the sale of wine in the city of Thorsby, Alabama, at fifteen dollars.

This January 29, 1907.

J. Bice.

Was published in The Union once a week for four consecutive weeks.

Wallace C. Elder,
Editor and Publisher of The Union.

Sworn to and subscribed before me this, July 8th, 1907.

Sam W. Collins,
Clerk Circuit Court Chilton Co., Ala.

H. 1019. To fix the salary of the judge of the city court of Talladega county, and to provide for payment of same.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

APPLICATION FOR LOCAL LAW.

Notice is hereby given that application will be made to the Legislature of Alabama at its adjourned meeting for the enactment into law of a bill to be entitled: An act to fix the salary of the judge of the city court for Talladega county and to provide for payment of the same as follows:

Section 1. Be it enacted by the Legislature of Alabama, That the salary of the judge of the city court for Talladega county be and the same is hereby fixed at two thousand seven hundred dollars per annum, and that the same shall be paid as now provided by law.

June 5, 1907.

The State of Alabama, }
Talladega County. }

Personally appeared before me, the judge of probate in and for said county, Jno. C. Williams, who being duly sworn according to law, deposes and says that he is the publisher of the Our Mountain Home, a newspaper published in said county, and that the publication of a certain notice, a true copy of which is hereto affixed, has

been made in said newspaper for four weeks consecutively, to-wit, in the issues thereof dated as follows: June 5th, 1907; June 12th, 1907; June 19th, 1907; and June 26th, 1907.

Jno. C. Williams.

Subscribed and sworn to before me this 3rd day of July, 1907.

J. E. Camp,
Judge of Probate.

H. 1220. To amend sections two (2) and three (3) of an act entitled "An act to amend sections 897 and 911 of chapter 19, article 1 of the Code of Alabama, approved March 6th, 1907.

And sends the same to the Senate.

HOUSE MESSAGE.

The House bills in the foregoing House message were severally read once and referred to appropriate standing committees as follows:

H. 390, 300, 1132, 564, 1025, 1314, 1141, 1275, 1273, 378, 900, 229, 1228, 1142, 1305, 1155, 1252, 1220, to Judiciary.

H. 1120, 531, 1160, 641, 1227, 1229, 1214, 1104, 1138, 985, 1019, to Finance and Taxation.

H. 192, 1316, 1090, 1293, 898, to Local Legislation.

H. 592, to Mining and Manufacturing.

H. 1315, to Temperance.

BILLS ON THIRD READING.

The bill:

H. 1211. To amend an act entitled an act to further amend the revenue laws of the State of Alabama.

Was read a third time, at length, and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Barbour	Forrester	Hamburger	Horton
Bayles	Glenn	Hayes	Jones
Blackmon	Gunn	Heacock	King

Leith	Moody	Reynolds	Teasley
Lowe	Overton	Spragins	Wilson
Miller	Reese	Strother	Wimberly

—24.

The bill:

H. 1205. To amend section 3915 of the Code as amended by an act entitled an act to better provide for the revenue of the State, approved March 4, 1903.

Was taken up.

The following amendment offered by the committee, to-wit:

Amend by adding next after the words "franchise taxes" where said words appear in the body of the act, the following: "and in full satisfaction for all taxes imposed on the sleeping car business of such person or corporation and upon the property and intangible assets used in such business."

Was adopted.

Ayes, 27; nays, 0.

Yeas:

Messrs:

Barbour	Hamburger	Leith	Reynolds
Blackmon	Hayes	Lowe	Spragins
Doster	Heacock	Miller	Teasley
Forrester	Hinson	Moody	Thomas
Gardner	Horton	McWhorter	Wilson
Glenn	Jones	Overton	Wimberly
Gunn	King	Reid	

—27.

And the bill, as thus amended, was read a third time at length, and passed.

Yeas, 30; nays, 0.

Yeas:

Messrs:

Barbour	Gardner	Heacock	King
Bayles	Glenn	Hinson	Leith
Doster	Gunn	Horton	Lowe
Forrester	Hayes	Jones	Lusk

Merritt	Overton	Spragins	White
Miller	Reese	Strother	Wilson
Moody	Reynolds	Teasley	Wimberly
McWhorter		Thomas	

—30.

The bill:

S. 603. To reimburse the governor's contingent fund the amount expended therefrom in paying the funeral expenses of the late William L. Martin, who at the time of his death was Speaker of the House of Representatives, and to make an appropriation therefor.

Was read a third time, at length, and passed.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Barbour	Hinson	Miller	Spragins
Forrester	Horton	Moody	Strother
Gardner	Jones	McWhorter	Teasley
Glenn	King	Overton	Thomas
Gunn	Lowe	Reese	Wilson
Hayes	Lusk	Reid	Wimberly
Heacock	Merritt	Reynolds	

—27.

The bill:

S. 371. To amend section 4 (section 398) of an act entitled an act to amend sections 382, 383, 384, and 398 of the Code of Alabama.

Was read a third time, at length, and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lowe	Reid
Bayles	Hayes	Lusk	Reynolds
Blackmon	Heacock	Merritt	Spragins
Doster	Hinson	Miller	Strother
Forrester	Horton	Moody	Teasley
Gardner	Jones	McWhorter	Thomas
Glenn	King	Overton	White
Gunn	Leith	Reese	Wimberly
Hamburger			

—33.

The bill:

H. 1189. To amend section 8 of an act entitled an act to further amend the revenue laws of the State of Alabama, approved March 7th, 1907.

Was taken up.

The following amendment offered by the committee, to-wit:

Insert immediately after the words "placed in said machine" where they first occur in said bill the following words: "Provided, however, that where several such slot machines are run or operated as a "penny arcade" or like place of amusement, that the total license on all machines so run or operated in any one "penny arcade" or like place of amusement shall be one hundred dollars (\$100.00) per annum in towns and cities of more than twenty thousand inhabitants for the State and fifty dollars for the county; and in all other places, fifty dollars per annum to the State and one-half of this amount to the county."

Further amend said bill by inserting next after the words "from which merchandise" the following words, "or gas."

Was adopted.

Yeas, 27; nays, 2.

Yeas:

Messrs:

Barbour	Hayes	Lusk	Spragins
Blackmon	Heacock	Merritt	Strother
Forrester	Horton	Miller	Teasley
Gardner	Jones	Moody	Thomas
Gunn	King	McWhorter	Wilson
Hamburger	Leith	Overton	Wimberly
Hamner	Lowe	Reynolds	

—27.

Nays: Messrs. Bayles, Doster—2.

And the bill, as thus amended, was read a third time, at length, and passed.

Yeas, 25; nays, 4.

Yeas:

Messrs:

Barbour	Heacock	Lowe	Overton
Forrester	Hinson	Lusk	Reid
Gardner	Horton	Merritt	Reynolds
Gunn	Jones	Miller	Strother
Hamburger	King	Moody	Teasley
Hamner	Leith	McWhorter	Wimberly
Hayes			

—25.

Nays:

Messrs:

Bayles	Blackmon	Spragins	Wilson
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—4.

1154. To amend section 9 of an act entitled an act to further amend the revenue laws of the State of Alabama, approved March 7, 1907.

Was read a third time, at length, and passed.

Yeas, 28; nays, 1.

Yeas:

Messrs:

Barbour	Gunn	Lowe	Reid
Bayles	Hamner	Lusk	Reynolds
Blackmon	Hayes	Merritt	Spragins
Doster	Heacock	Miller	Strother
Forrester	Horton	Moody	Thomas
Gardner	King	McWhorter	Wilson
Glenn	Leith	Overton	Wimberly

—28.

Nays: Mr. Jones—1.

The bill:

S. 398. To further prescribe the powers of the railroad commission and to authorize it to change any classification of railroads or of any articles of freight or any rates or charges for the transportation of freight or passengers which have been, or which may hereafter be, prescribed by statute, or any prevailing rates or charges for such transportation which have been, or

which may hereafter be, by statute made the maximum rates.

Was read a third time, at length, and passed, and ordered sent to the House forthwith without engrossment.

Yeas, 30; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Lusk	Reynolds
Blackmon	Heacock	Merritt	Spragins
Doster	Hinson	Miller	Strother
Forrester	Horton	Moody	Teasley
Gardner	Jones	McWhorter	Thomas
Glenn	King	Overton	Wilson
Gunn	Leith	Reese	Wimberly
Hamner	Lowe		

—30.

The bill:

S. 399. To amend sections 2, 3 and 4 of an act entitled "An act to regulate railroads and other common carriers in this State, to secure reasonable rates and adequate service and prevent unjust discrimination in their public service, and prescribe penalties for violation thereof," approved February 23, 1907.

Was taken up.

The following amendment offered by the committee, to-wit:

"Amend by striking out all of section 4 of the bill."

Which was adopted.

Yeas, 19; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Merritt	Strother
Doster	Hayes	Miller	Teasley
Forrester	Horton	Overton	Wilson
Glenn	Leith	Reynolds	Wimberly
Gunn	Lusk	Spragins	

—19.

Mr. Spragins offered the following amendment:

Amend by adding the word "reasonable" between the letter "a" and the word "time" in third line of section 2, as amended.

Which was adopted.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Leith	Reynolds
Bayles	Hayes	Lowe	Spragins
Blackmon	Heacock	Lusk	Strother
Doster	Hinson	Merritt	Teasley
Forrester	Horton	Miller	Thomas
Gardner	Jones	Moody	White
Glenn	King	Overton	Wimberly
Gunn			

—29.

And the bill, as thus amended, was read a third time, at length, and passed.

Yeas, 30; nays, 0.

Yeas:

Messrs:

Barbour	Hamburger	Lusk	Reynolds
Bayles	Hamner	Merritt	Spragins
Blackmon	Heacock	Miller	Strother
Doster	Hinson	Moody	Teasley
Forrester	Horton	Overton	Thomas
Gardner	Jones	Reese	Wilson
Glenn	King	Reid	Wimberly
Gunn	Lowe		

—30.

RECESS.

The hour of 1:30 o'clock p. m. having arrived the Senate took a recess until 4 o'clock this afternoon.

AFTERNOON SESSION.

July 24, 1907.

The Senate met pursuant to adjournment.

A quorum was present.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bills:

H. 1081. To authorize and empower the commissioners' court of Tallapoosa county to fix and regulate the tolls to be charged by the owners of the bridge across the Tallapoosa river at Tallassee, Alabama, for the use of said bridge by passengers and for vehicles, and for traffic, and for whatsoever may pass over the same, and to provide for the enforcement of such rates of toll, and to prescribe penalties for collecting, demanding or receiving tolls in excess of said rates fixed by said court of county commissioners.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that a bill will be introduced in the Legislature of Alabama, at its next session which convenes on the 9th day of July, 1907, to authorize and empower the commissioners' court of Tallapoosa county to fix and regulate the tolls to be charged by the owners of the bridge across Tallapoosa river at Tallassee, Alabama, for the use of said bridge by passengers, and for vehicles, and for traffic, and for whatsoever may pass over the same; and to provide for the enforcement of such rates of toll and to prescribe penalties for collecting, demanding or receiving tolls in excess of said rates fixed by said court of county commissioners.

The substance of said bill shall be as follows:

Section 1. Be it enacted by the Legislature of Alabama, That the commissioners' court of Tallapoosa county are authorized and empowered to regulate and fix the rate of toll that shall be charged by the owners of the bridge across the Tallapoosa river, at Tallassee, Alabama, for the use of said bridge by passengers, and for vehicles, and for traffic, and for whatever may pass over the same, and said commissioners' court may from time to time alter said rates of toll when in the judgment of the court the same be necessary and proper.

Section 2. After the rates of toll to be charged for the use of said bridge shall have been fixed by said court of county commissioners, it shall be unlawful for the owners or keeper of said bridge to demand or receive from any person a larger rate of toll than that prescribed and fixed by said court of county commissioners and for each violation of this act the owners of said bridge shall forfeit to the person from whom excessive toll shall have been demanded or received twenty dollars, recoverable before any justice of the peace of said county.

J. H. Ashurst.

The State of Alabama, }
Montgomery County. }

Before me, Stella Marcus, a notary public, in and for said State and county, personally appeared F. L. McKenzie, who being by me first duly sworn on oath says that he is the editor and proprietor of the Tri-County Weekly, a weekly newspaper published in Tallapoosa county, Alabama, and that the attached notice was duly published in said newspaper for four consecutive weeks.

F. L. McKenzie.

Sworn to and subscribed before me this 8th day of July, 1907.

Stella Marcus,
Notary Public.

NOTICE.

Notice is hereby given that a bill will be introduced in the Legislature of Alabama at its next session, which convenes on the 9th day of July, 1907, to authorize and

empower the commissioners' court of Tallapoosa county to fix and regulate the tolls to be charged by the owners of the bridge across Tallapoosa river at Tallassee, Alabama, for the use of said bridge by passengers and for vehicles, and for traffic, and for whatsoever may pass over the same, and to provide for the enforcement of such rates of toll and to prescribe penalties for collecting, demanding or receiving tolls in excess of said rates fixed by said court of county commissioners.

Sec. 1. Be it enacted by the Legislature of Alabama, That the commissioners' court of Tallapoosa county are authorized and empowered to regulate and fix the rate of toll that shall be charged by the owners of the bridge across the Tallapoosa river, at Tallassee, Alabama, for the use of said bridge by passengers, and for vehicles, and for traffic, and for whatsoever may pass over the same, and said commissioners' court may from time to time alter said rate of toll when in the judgment of the court the same shall be necessary and proper.

Sec. 2. After the rates of toll to be charged for the use of said bridge shall have been fixed by said court of county commissioners it shall be unlawful for the owners or keeper of said bridge to demand or receive from any person a larger rate of toll than that prescribed and fixed by said court of county commissioners, and for each violation of this act the owners of said bridge shall forfeit to the persons from whom excessive toll shall have been demanded or received, twenty dollars, recoverable before any justice of the peace of said county.

J. H. Ashurst.

The State of Alabama, }
Tallapoosa County. }

Before me, W. P. Holley, a justice of the peace in and for said State and county, personally appeared P. A. Jackson, who, being by me first duly sworn, says on oath, that he is the editor and proprietor of the Tallapoosa Courier, a weekly newspaper published in Dadeville, Tallapoosa county, Alabama; that the above attached notice was published in said newspaper for four consecutive weeks.

P. A. Jackson.

Subscribed and sworn to before me this the 4th day of July, 1907.

W. P. Holley,
Justice of the Peace Tallapoosa County, Ala.

H. 185. For the relief of Major David M. Scott, of the Alabama National Guard.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows.

NOTICE.

Notice is hereby given that an application will be made to the next Legislature of Alabama for the relief of David Scott, who was permanently injured while in the actual service of the State, as a member of the National Guards of Alabama, while in camp at Montgomery, Alabama. The Legislature will be asked to make an appropriation for his benefit.

The State of Alabama, }
Dallas County. }

Personally appeared before me, J. L. Bishop, a notary public in and for said State and county, H. B. Kincey, who, being by me first duly sworn, doth depose and say that he is editor and publisher of the Selma Mirror, a newspaper published in Selma, Dallas county, Alabama, and that the attached notice has been published at least once a week for four consecutive weeks in said Selma Mirror prior to the making of this affidavit.

H. B. Kincey.

Sworn and subscribed to before me this the 1st day of January, 1907.

J. L. Bishop,
Notary Public for Dallas County, Alabama.

C. B. Brown,
Clerk.

HOUSE MESSAGE.

The House bills in the foregoing House message were severally read once and referred to appropriate standing committees as follows:

H. 1081, to Local Legislation.

H. 185, to Military.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following Senate bills:

S. 414. To prevent the sale, barter, exchange and giving away of spirituous, vinous or malt liquors, or intoxicating beverages of any kind, within the territory now embraced in election precinct No. nine (9) in Covington county, Alabama, except within the present corporate limits of the town of Floralla and to provide punishment for violation of this act.

S. 543. To ratify, confirm and legalize the orders, acts and proceedings of the commissioners' court of Choctaw county in issuing to the contractors for building the county court house, three principal warrants and six subsidiary warrants representing a legal rate of interest from January 1st, 1907, on said three principal warrants in settlement of the cost of constructing county court house, and to authorize the payment of said warrants.

S. 400. To repeal an act approved February 13th, 1897, entitled an act to regulate the sale of spirituous, vinous or malt liquors in the corporate limits of the town of Roanoke, Randolph county, Alabama.

S. 525. To prohibit the barter or exchange of spirituous, vinous or malt liquors or intoxicating beverages or drinks within three miles of the Sister Springs church, in Dallas county, Alabama, and to provide for the punishment of the violation of said act by the circuit court of Dallas county and Lowndes county.

S. 449. To pass a law to require the governor to send a State examiner of public accounts or some other expert accountant to audit and examine into the accounts, and operations of all incorporated towns and cities in Dallas county, operating public utilities.

S. 467. To prescribe rules of practice and procedure in the circuit court of Montgomery county, and to define the powers of the judge of said court in reference thereto.

S. 474. To fix and provide for the salary of the chancellor of the Southwestern chancery division of the State of Alabama.

S. 475. To fix and provide for the salary of the judge of the Thirteenth judicial circuit of Alabama.

S. 504. To fix the time of holding the circuit court in the county of Limestone, in the Eighth judicial circuit of Alabama.

And returns same herewith to the Senate.

Cyrus B. Brown,
Clerk.

REPORT FROM THE COMMITTEE ON ENROLLED BILLS.

Mr. President:

The committee on Enrolled Bills have examined the following Senate bills:

S. 500. To fix the time of holding courts in the Third judicial circuit of Alabama.

And find same to be correctly enrolled.

Frank S. Moody,
Chairman.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after its title had been publicly read at length by the secretary, signed the above Senate bill, the title of which is set out in the foregoing report from the committee on Enrolled bills, the reading at length of said bill having been dispensed with, by a two-thirds vote of a quorum of the Senate present.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bills and ordered same sent forthwith to the Senate without engrossment:

H. 916. To establish a high school for Dale county, to be located at Ozark, Alabama.

And sends same to the Senate.

H. 1233. To make it unlawful for any person to carry about his person a pistol or firearm of any other kind or description, or air gun, other than on his own premises or from the place of purchasing such firearm or air gun, to his premises or place of business, shorter than twenty-four inches in length, and to fix the burden of proof and the punishment for the violation thereof.

H. 261. To provide for the better protection of the people who may suffer harm by physicians or surgeons who practice their profession while in a state of intoxication.

And sends same herewith to the Senate.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

The House bills in the foregoing House message were severally read once and referred to appropriate standing committees as follows:

H. 916, to Education.

H. 1233, to Revision of Laws.

H. 261, to Public Health.

REPORT OF LEGISLATIVE COMMITTEE ON INVESTIGATION OF THE ALABAMA INSANE HOSPITAL.

To the Legislature of Alabama:

Your committee appointed to investigate the charges made against the management of the Alabama Insane Hospital, be leave to make the following report:

Your committee has made only a very limited investigation on account of the short time allowed us. The task assigned us will require several weeks to do justice to the State, the institution and the inmates therein, and we respectfully ask that some action be taken giv-

ing the committee more time to conduct a full, fair and complete investigation of these charges.

July 24th, 1907. Very respectfully submitted,

Jere C. King,
Chairman.
Robt. E. Spragins,
Wm. N. Hughes,
Jas. J. Arnold,
Gaston Gunter,
Committee.

Said report was read and ordered spread on the journal of the Senate.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker of the House having signed the following House bills your signature thereto is requested:

H. 1034. To amend section 2 of an act, entitled an act to amend an act entitled an act to establish, maintain and regulate a dispensary in the town of Camden, Wilcox county, Alabama, for the sale of spirituous, vinous and malt liquors, approved September 23rd, 1903, so as to provide that the one-fourth of the net proceeds of said dispensary shall be appropriated to the public road fund of Wilcox county, and providing for the election by the mayor and board of aldermen of the town of Camden, Alabama, for a cashier to issue checks for the purchase of liquors, in said dispensary.

H. 497. For the relief of D. I. Guthrie, ex-tax collector for Lamar county, Alabama.

H. 860. To authorize the board of mayor and aldermen of the city of Bridgeport in Jackson county, Alabama, to permit school children living without the limits of said city to attend the public schools within said city upon such terms as said board may prescribe.

H. 847. To provide for the payment of the salary of the judge of the city court of Anniston, and to fix the amount of the same at thirty-five hundred dollars.

H. 935. To amend section 22 of an act entitled an act to establish a city court of Bessemer.

H. 939. To adopt a code of laws for the State of Alabama.

H. 888. To provide for the establishment of a branch of the circuit court of Barbour county; to define its powers and jurisdiction; to regulate the trial of causes therein and the drawing and summoning of jury and witnesses therefor.

H. 69. To authorize the court of county commissioners of Colbert county to pay the executor or administrator of the estate of James H. Simpson, late clerk of the circuit court of said county, for services rendered by the said James H. Simpson as such clerk for keeping the minutes of the circuit court of said county during the years 1897, 1898, 1899, 1900, 1901, 1902, 1903, the account for said service being barred by section 1420 of the Code.

H. 963. To authorize the Lee county court of law and equity to revive and enforce judgments, decrees, orders and proceedings entered prior to July 1st, 1907, in the circuit, chancery and county courts of Lee county.

H. 795. To prohibit any person or corporation from selling, giving away, delivering or otherwise disposing of spirituous, vinous or malt liquors or other intoxicating bitters or beverages in Marion county, Alabama; prescribing that a delivery shall constitute a sale, and prescribing a penalty for the violation of said law.

Cyrus B. Brown,
Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read at length by the secretary, signed the above House bills, the titles of which are set out in the foregoing message from the House, the reading at length of said bills having been dispensed with, by a two-thirds vote of a quorum of the Senate present.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended, as therein shown, and as amended has passed:

S. 509. To provide for the organization, incorporation, government and regulation of cities and towns and to define the rights, powers, duties, jurisdiction and authority of such cities and towns and of the officers thereof, and to prescribe penalties for violations of the provisions of this act.

And sends the same herewith to the Senate.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

The Senate nonconcurrent in the House amendments to S. 509, the title of which is set out in above message from the House, and asked for a committee of conference.

The President of the Senate announced as the committee on part of the Senate: Messrs. Strother, Gunn and Lowe.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended, as therein shown, and as amended has passed the following Senate bills:

S. 484. To fix the time of holding the circuit courts in the counties of Walker and Winston, composing the 14th judicial circuit of the State of Alabama.

S. 396. To repeal an act approved December 13th, 1900, entitled an act to establish, maintain and regulate a dispensary in the town of Roanoke, Randolph county, Alabama, for the sale of spirituous, vinous or malt liquors, ciders and other intoxicants, and to establish a board of commissioners for the management of said dispensary and for other purposes.

And returns same herewith to the Senate.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

The Senate concurred in the House amendment to Senate bill No. 484, the title to which is set out in above House message.

Yeas, 31; nays, 0.

Yeas:

Messrs:

Bayles	Hamner	Lowe	Reynolds
Blackmon	Hayes	Lusk	Spragins
Doster	Heacock	Merritt	Strother
Forrester	Hinson	Miller	Teasley
Gardner	Horton	Moody	Thomas
Glenn	Jones	McWhorter	Wilson
Gunn	King	Overton	Wimberly
Hamburger	Leith	Reese	

—31.

And the Senate concurred in the House amendment to Senate bill No. 396, the title to which is set out in above and foregoing House message.

Yeas, 30; nays, 0.

Yeas:

Messrs:

Bayles	Hayes	Merritt	Reynolds
Davis	Heacock	Miller	Spragins
Forrester	Hinson	Moody	Strother
Gardner	Horton	McWhorter	Teasley
Glenn	Jones	Overton	Thomas
Gunn	King	Reese	Wilson
Hamburger	Leith	Reid	Wimberly.
Hamner	Lusk		

—30.

REPORT FROM THE COMMITTEE ON ENGROSSED BILLS.

Mr. President:

The committee on Engrossed Bills report that they have examined and compared the following Senate bills, 305, 391, 548, 583, 588, 585, and compared them with the original bill respectively and the same to be correctly engrossed.

Robt. E. Spragins,
Chairman.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker of the House, under a joint resolution heretofore adopted, having erased his signature from H. B. 810, you are requested to erase your signature from the said bill and in accordance with the said resolution the bill is herewith sent for the further consideration of the Senate.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

In accordance with a House joint resolution heretofore concurred in, the President of the Senate erased his signature to H. B. 810, in accordance with said resolution.

Mr. Forrester made a motion to reconsider the vote by which said bill was passed, which motion was carried.

On motion of Mr. Forrester, the vote by which said bill was ordered to a third reading was reconsidered and on motion of Mr. Forrester said bill was restored to the calendar.

MESSAGE FROM THE HOUSE.

Mr. President:

The House accedes to the request of the Senate for a committee of conference on the disagreement of the two Houses on House amendments to Senate bill 509, and appoints upon a committee of conference, Messrs. Gunter, Sherrod and Sanford.

And has adopted the following resolution:

H. J. R. 291. Resolved, by the House, the Senate concurring, that the Speaker of the House and the President of the Senate be and they are hereby authorized and requested to erase their signatures from H. B. No. 810, and that said bill be returned to the Senate for further consideration.

And sends said resolution herewith to the Senate for its consideration.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

The Senate concurred in House joint resolution 291 as set out in the above and foregoing message from the House.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended, as therein shown, and as amended has passed the following Senate bills:

S: 344. To further regulate the opening, closing and operating saloons and giving away or selling spirituous, vinous or malt liquors under a license from the State, and to punish violations thereof.

And sends same herewith to the Senate.

And has concurred in H. 927, H. 1189 and H. 1205.

And the House has adopted the following House joint resolution:

H. J. R. 300. Resolved by the House, the Senate concurring, that when the Legislature adjourns today, the two Houses adjourn to meet Friday morning.

And sends same to the Senate.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Lusk, the Senate concurred in the following amendment adopted by the House to Senate bill No. 344, the title of which is set out in the foregoing message from the House, to-wit:

Amend by adding section three: "The number of inhabitants in any city or town or place shall be determined by the last legally authorized census."

Yeas, 30; nays, 0.

Yeas:

Messrs:

Barbour	Gardner	Hayes	King
Bayles	Glenn	Heacock	Lusk
Blackmon	Gunn	Hinson	Merritt
Davis	Hamburger	Horton	Miller
Forrester	Hamner	Jones	Moody

McWhorter	Reynolds	Thomas	Wilson
Overton	Spragins	White	Wimberly
Reid	Teasley		

—30.

And the Senate also concurred in the H. J. R. 300, relative to adjournment, as set out in the foregoing message from the House.

BILLS ON THIRD READING.

The bill :

S. 384. To provide for the establishment of high schools in this State, and to make appropriations for said schools.

Was taken up.

Mr. Leith offered the following amendment, to-wit :

Amend section 3 by striking out the following words out of line 4 of said section (fee simple).

Which was adopted.

Ayes, 21; nays, 5.

Yeas :

Messrs :

Barbour	Glenn	King	Reid
Bayles	Gunn	Leith	Reynolds
Davis	Hinson	Merritt	Strother
Doster	Horton	Moody	Wilson
Forrester	Jones	Overton	Wimberly.
Gardner			

—21.

Nays :

Messrs :

Hamner	McWhorter	Spragins	Thomas
Lusk			

—5.

Mr. Wilson offered the following amendment, to-wit :

Amend section 1 by striking out all of the section after the word "State" in line 3 of the section and also

amend section 3 by striking out the words "except those hereinbefore excepted".

That the money hereby appropriated shall not be used or applied to any of the purposes herein set forth until the governor shall by written order filed with the auditor so direct.

Which was laid upon the table, upon the motion of Mr. Thomas.

Ayes 25; nays, 6.

Yeas:

Messrs:

Barbour	Hinson	Merritt	Reynolds
Bayles	Horton	Miller	Spragins
Doster	Jones	McWhorter	Strother
Forrester	King	Overton	Teasley
Glenn	Leith	Reese	Thomas
Hamburger	Lowe	Reid	Wimberly
Hayes			

—25.

Nays:

Messrs:

Blackmon	Heacock	Moody	Wilson
Gunn	Lusk		

—6.

Mr. Spragins offered the following amendment, to-wit:

To amend section one by striking out the words: "the Polytechnic Institute," "the University of Alabama," "the Industrial School for Girls" where they occur, and inserting the word "State" in the 5th line of the printed bill between the letter "a" and the word "high."

Which was laid upon the table, upon the motion of Mr. Wilson.

Ayes, 17; nays, 12.

Yeas:

Messrs:

Barbour	Horton	Merritt	Strother
Blackmon	King	McWhorter	Thomas
Forrester	Leith	Overton	White
Gunn	Lusk	Reid	Wilson
Hamburger			

—17.

Nays:

Messrs:

Bayles	Hayes	Miller	Spragins
Doster	Hinson	Moody	Teasley
Glenn	Jones	Reynolds	Wimberly

—12.

Mr. Thomas offered the following amendment, to-wit:

Amend section 2 by adding thereto after the last word in said section the following words, to-wit:

“Provided that in the location of said school preference shall be given to that section of the county which has not hitherto enjoyed high school advantages and which will comply with the provisions of this act; provided further that said school shall not be located in any town where there is a railroad or where intoxicating liquors are sold.”

Which was laid upon the table upon the motion of Mr. Lusk.

Ayes, 22; nays, 6.

Yeas:

Messrs:

Barbour	Hamburger	King	Spragins
Bayles	Hamner	Leith	Strother
Doster	Hayes	Miller	Teasley
Forrester	Hinson	Overton	Wilson
Glenn	Horton	Reynolds	Wimberly
Gunn	Jones		

—22.

Nays:

Messrs:

Blackmon	Merritt	Thomas	White
Lusk	McWhorter		

—6.

The following amendment was offered by Mr. Reynolds, to-wit:

Amend section 1 by adding at the end of same these words:

“Provided that eleven of said schools shall be established by said locating board by July 1st, 1908, and

that thereafter on July 1st of each year said locating board shall, if in the judgment of the governor the financial condition of the State treasury will permit, locate eleven other such high schools; and provided further that said eleven schools named in each case above shall be located as follows: one in each congressional district, two for the State at large."

Which was laid upon the table upon the motion of Mr. Hayes.

Mr. Reynolds offered the following amendment, to-wit:

Amend section 3 by striking out beginning with words "secures not less than" and ending with the words "the State of Alabama of said land, building and equipments" and insert in lieu thereof "furnish suitable furniture, equipment and quarters to the satisfaction of the locating board."

Which was laid upon the table upon the motion of Mr. Barbour.

Mr. Reid offered the following amendment, to-wit:

Amend by inserting after the words "equipment" in the 5th line of section 3 of the bill as printed the following words: "or to the county in which such school is to be located."

Which was laid upon the table upon the motion of Mr. Barbour.

Mr. Blackmon offered the following amendment, to-wit:

Amend by adding section 9 to said bill, which said section 9 shall read as follows:

Section 9. That in any community where such high school is located no part of the public school funds shall be used in keeping up said high school.

Which was laid upon the table upon the motion of Mr. Barbour.

Mr. Miller offered the following amendment, to-wit:
Amend section 3 by striking out the words "not less than five acres of land" where they occur in the second line of section 3 and in lieu thereof insert "a suitable site."

Which was adopted.

Ayes, 21; nays, 5.

Yeas:

Messrs:

Barbour	Heacock	Lowe	Reese
Bayles	Hinson	Merritt	Reynolds
Blackmon	Horton	Miller	Spragins
Glenn	Jones	McWhorter	Strother
Gunn	King	Overton	Tasley
Hamburger			

—21.

Nays:

Messrs:

Doster	Lusk	Reid	Wilson
Forrester			

—5.

Mr. Strother offered the following amendment, to-wit:

Amend by striking out of section four all of lines one and two and all of line three down to and including the word "located" and inserting in lieu thereof the following: "Said school or schools as hereinbefore established shall be under the direction and control of a board of trustees to consist of five members to be elected by the board of education of the county in which such school is located, the members of such board of trustees to be qualified electors of the county, at least three of whom shall be residents of the school district in which such school is located, said board to hold office for a term of two years."

Which was laid upon the table upon the motion of Mr. Barbour.

Yeas, 21; nays, 11.

Yeas:

Messrs:

Barbour	Hayes	King	Reese
Blackmon	Heacock	Leith	Spragins
Doster	Hinson	Lusk	Teasley
Forrester	Horton	Miller	Thomas
Glenn	Jones	Overton	Wimberly
Hamburger			

—21.

Nays:

Messrs:

Gunn	Merritt	Reid	White
Hamner	Moody	Reynolds	Wilson
Lowe	McWhorter	Strother	

—11.

Mr. Moody offered the following amendment, to-wit:
Amend Senate bill 384 by adding at the close of section one these words:

“But schools shall not be established in counties in which there are now State institutions of learning until high schools have been established under this act in all the other counties of the State.”

Which was laid upon the table upon the motion of Mr. Barbour.

Ayes, 16; nays, 15.

Yeas:

Messrs:

Barbour	Leith	McWhorter	Spragins
Bayles	Lowe	Overton	Teasley
Doster	Merritt	Reese	Thomas
Forrester	Miller	Reid	Wimberly

—16.

Nays:

Messrs:

Blackmon	Hamner	Horton	Moody
Glenn	Hayes	Jones	Reynolds
Gunn	Heacock	King	Wilson
Hamburger	Hinson	Lusk	

—15.

And the bill, as thus amended, was read a third time, at length, and passed.

Yeas, 26; nays, 4.

Yeas:

Messrs:

Barbour	Hamner	Lowe	Reese
Bayles	Hayes	Lusk	Spragins
Blackmon	Heacock	Merritt	Teasley
Doster	Hinson	Moody	Thomas
Forrester	Horton	McWhorter	Wilson
Glenn	Jones	Overton	Wimberly.
Hamburger	King		

—26.

Nays:

Messrs:

Gunn	Miller	Reynolds	Strother
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—4.

The bill:

S. 273. To make it an offense for any depot agent, or person having control of any passenger depot with a telegraph office, to neglect or fail to keep displayed in the waiting room a bulletin board, showing when any delayed passenger train will arrive at such depot, and to prescribe the punishment therefor.

Was taken up.

The following substitute offered by the committee, to-wit:

A BILL

To be entitled an act to make it an offense for any depot agent, or person having control of any passenger depot with a telegraph office, to neglect or fail to keep displayed a bulletin board, showing when any delayed passenger train will arrive at such depot, and to prescribe the punishment therefor.

Be it enacted by the Legislature of Alabama:

Section 1. That any depot agent or person having control of any passenger depot with a telegraph office, who neglects or fails to be displayed a bulletin board showing when any delayed passenger train will arrive at such depot is guilty of a misdemeanor, and upon conviction must be fined not more than fifty dollars, and

may also be imprisoned in the county or sentenced to hard labor for the county for not more than six months.

Was adopted.

Yeas, 28; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Leith	Reid
Bayles	Hayes	Lusk	Reynolds
Davis	Heacock	Merritt	Spragins
Doster	Hinson	Miller	Strother
Forrester	Horton	Moody	Teasley
Glenn	Jones	McWhorter	White
Hamburger	King	Overton	Wimberly

—28.

And the bill, as thus amended, was read a third time, at length, and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lusk	Reynolds
Bayles	Haves	Merritt	Spragins
Davis	Heacock	Miller	Strother
Doster	Horton	Moody	Teasley
Forrester	Jones	McWhorter	Thomas
Gardner	King	Overton	White
Glenn	Leith	Reese	Wilson
Gunn	Lowe	Reid	Wimberly
Hamburger			

—33.

The bill:

H. 921. To regulate the fine and forfeiture fund of Escambia county and to better provide for the payment of State witnesses and officers' fees in said county.

Was read a third time, at length, and passed.

Yeas, 32; nays, 0.

Yeas:

Messrs:

Barbour	Doster	Glenn	Hamner
Bayles	Forrester	Gunn	Hayes
Davis	Gardner	Hamburger	Heacock

Hinson	Lusk	Overton	Teasley
Horton	Merritt	Reese	Thomas
Jones	Miller	Reynolds	White
King	Moody	Spragins	Wilson
Leith	McWhorter	Strother	Wimberly

—32.

The bill:

H. 742. To prohibit the sale of intoxicating liquors of every kind, within three miles of the public school house at Creola, Mobile county, Alabama, and to provide a penalty for the violation of this act.

Was read a third time, at length, and passed.

Yeas, 30; nays, 0.

Messrs:

Barbour	Gunn	Leith	Reid
Bayles	Hamburger	Lusk	Reynolds
Blackmon	Hamner	Merritt	Spragins
Davis	Hayes	Miller	Strother
Doster	Hinson	Moody	Thomas
Forrester	Horton	Overton	White
Gardner	Jones	Reese	Wimberly.
Glenn	King		

—30.

The bill:

S. 604. To amend section 1 of an act entitled an act "To define and prohibit the unlawful giving, issuing, using or receiving free passes, rebates, reductions or discounts for transportation by common carriers of passengers and to punish the unlawful giving, issuing, using or receiving the same," approved Feb. 14, 1907.

Was taken up.

Mr. Blackmon offered the following amendment:

"Amend by inserting in section I after 'marshals and their deputies' the words, 'while said sheriffs, marshals and deputies are traveling on official business'.

Mr. Lusk moved to table the bill and amendment, which was lost.

Yeas, 11; nays, 16.

Yeas:

Messrs:

Davis	Leith	Miller	Reynolds
Gardner	Lusk	Moody	Wilson
Hayes	Merritt	McWhorter	

—11.

Nays:

Messrs:

Barbour	Glenn	Jones	Teasley
Bayles	Hamburger	King	Thomas
Blackmon	Heacock	Overton	White
Doster	Horton	Reese	Wimberly

—16.

Mr. Blackmon's amendment was adopted.

Yeas, 19; nays, 13.

Yeas:

Messrs:

Bayles	Hayes	King	Reid
Blackmon	Heacock	Lowe	Teasley
Doster	Hinson	Moody	Thomas
Forrester	Horton	Overton	White
Hamburger	Jones	Reese	

—19.

Nays:

Messrs:

Barbour	Gunn	Merritt	Spragins
Davis	Hamner	Miller	Strother
Gardner	Leith	McWhorter	Wilson
Glenn	Lusk	Reynolds	

—13.

Pending the further consideration of said bill, the Senate took a

RECESS

until 8:30 o'clock tonight.

NIGHT SESSION.

July 24, 1907.

The Senate met pursuant to adjournment.

A quorum was present.

UNFINISHED BUSINESS.

The Senate resumed consideration of the bill:

S. 604. To amend section 1 of an act entitled an act "To define and prohibit the unlawful giving, issuing, using or receiving free passes, rebates, reductions or discounts for transportation by common carriers of passengers and to punish the unlawful giving, issuing, using or receiving the same," approved Feb. 14, 1907.

Mr. Lusk offered the following amendment, to-wit:

"Striking out 'U. S. marshals and their deputies' where they appear."

Pending the further consideration of said bill, the Senate

ADJOURNED

until 9:00 o'clock Friday morning.

FORTY-FIFTH DAY.

Friday, July 26, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. Brooks Lawrence, of Birmingham.

ROLL CALL.

Present:

Mr. President, and

Messrs:

Barbour	Hamburger	Lowe	Reynolds
Bayles	Hamner	Lusk	Spragins
Blackmon	Hayes	Merritt	Strother
Davis	Heacock	Miller	Teasley
Doster	Hinson	Moody	Thomas
Forrester	Horton	McWhorter	White
Gardner	Jones	Overta	Wilson
Glenn	King	Reese	Wimberly
Gunn	Leith	Reid	

JOURNAL.

On motion of Mr. Barbour, the reading of the journal of yesterday was dispensed with and the same was approved.

INTRODUCTION OF BILLS.

On a call of the districts, bills were introduced, read one time and referred to appropriate standing committee as follows:

By Mr. Blackmon.

S. 628. To authorize the court of county commissioners and courts of similar jurisdiction to appropriate money to aid municipal corporations in improving and constructing streets in towns and cities which are continuations of county roads.

Local Legislation.

By Mr. Miller.

S. 629. To amend an act entitled "an act to establish a board of revenue for Jefferson county, and for the abolishment of the court of county commissioners of said county."

Local Legislation.

With notice and proof as follows:

NOTICE.

An act to amend an act entitled "an act to establish a board of revenue for Jefferson county, and for the abolishment of the court of county commissioners of said county."

Section 1. Be it enacted by the Legislature of Alabama, That section 11 of an act entitled, "an act to establish a board of revenue for Jefferson county, and for the abolishment of the court of county commissioners of said county," be amended to read as follows:

Section 11. Be it further enacted, That each member of the board of revenue shall receive a salary of \$1,500 per annum to be paid in monthly installments of \$125 out of the county treasury on the certificate or warrant signed by the president of said board. All laws in conflict with this enactment are hereby repealed.

The State of Alabama, }
 Jefferson County. }

Before me, W. S. Morrow, a notary public in and for said county and State, personally appeared W. H. Jeffries, known to me, who, being by me duly sworn, on oath says that the attached notice appeared once a week for four successive weeks in the Birmingham Age-Herald, a newspaper published in Birmingham, Jefferson county, Alabama, in its issues of Dec. 19, 26, '06, and Jan. 2, 9, '07, and that affiant is advertising manager of said newspaper.

W. H. Jeffries.

Sworn to and subscribed before me this 25 day of July, 1907.

W. S. Morrow,
 Notary Public.

LEGAL NOTICE.

Notice is hereby given that application will be made to the approaching Legislature of Alabama to pass the following act:

An act to amend an act entitled "an act to establish a board of revenue for Jefferson county, and for the abolishment of the court of county commissioners of said county."

Section 1. Be it enacted by the Legislature of Alabama, That section 11 of an act entitled "an act to establish a board of revenue for Jefferson county; and for the abolishment of the court of county commissioners of said county," be amended to read as follows: Section 11. Be it further enacted, that each members of the board of revenue shall receive a salary of \$1,500 per annum to be paid in monthly installments of \$125, out of the county treasury on the certificate or warrant signed by the president of said board. All laws in conflict with this enactment are hereby repealed.

By Mr. Doster:

S. 630. To amend subdivision (b) of an act to amend section 2584 of the Code of 1896, approved March 4, 1907.

Finance and Taxation.

By Mr. Glenn:

S. 631. To amend section 33 of the Code of 1896.
Agriculture.

By Mr. Davis:

S. 632. "To provide for the construction, repairing, working, making, maintaining, and protection of the public roads of Geneva county, and to provide for the levying of the tax for the same, and for punishing road defaulters, and prescribing the duties of the commissioners' court with reference to said work, and for the punishment of violations of orders made by the commissioners' court."

Local Legislation.

With notice and proof as follows:

NOTICE

Is hereby given that a bill will be introduced in the Legislature of Alabama, at its adjourned term which meets on the 9th of July, 1907, entitled an act, the substance of which is as follows:

To provide for the construction, repairing, working, making, maintaining and protecting of the public roads of Geneva county, and to provide for the levying of a tax for the same, and for punishing road defaulters, and prescribing the duties of the commissioners' court with reference to said work, and for the punishment of violations of orders made by the commissioners' court with reference to said road laws.

P. B. Davis,
F. J. Ward,
J. M. Fulford.

The State of Alabama, }
Geneva County. }

Before me, J. W. Draughon, clerk of the circuit court, personally appeared John R. Shehan, who, being duly sworn, says that he is a manager of the Geneva Reaper, a newspaper published in Geneva county, Ala., and that the notice hereto attached appeared in said Geneva Reaper in each issue of said paper, for four consecutive weeks prior hereto.

John R. Shehan.

Sworn to and subscribed before me, this July 24,
1907.

J. W. Draughon,
Clerk of Circuit Courtt.

By Mr. Spragins:

S. 633. To regulate the taxing of dogs in Madison county, Alabama, and for the protection of sheep, cattle, horses, swine, and other live stock in said county; to provide penalties for its violation; to repeal all laws in conflict.

Revision of Laws.

With notice and proof as follows:

The State of Alabama, }
Madison County. }

Before me, Rachel Tomlinson, notary public in and for said county and State, this day personally appeared R. L. O'Neal, who, being duly sworn, deposes and says that the following notice of intention to apply for a local law, to-wit:

NOTICE.

Notice is hereby given that at the adjourned term of the present session of the Legislature of Alabama, beginning July 9, 1907, a bill will be offered for passage taxing dogs in Madison county one dollar per annum for each male dog and two and a half dollars per annum for each female dog. The money raised by said tax shall be kept separate and used, first, for the purpose of paying damage to the owner for sheep and other stock destroyed by dogs during each year. At the end of each year the balance in this fund shall be paid to the county superintendent of education for the equal benefit of all public schools in the county and shall be disbursed as are other school funds. Should the tax from this source in any one year be insufficient to pay the damage for sheep and other stock destroyed by dogs, such claims for damage shall go over to the next succeeding years and shall be a prior lien on such fund in the order of their filing. The bill will also provide the manner of the assessment and collection of said tax, with whom it shall be deposited and the manner of its disbursement.

Was published once a week for four consecutive weeks upon the following dates, to-wit: June 12, 19, 26, July 3, 1907, in The Weekly Mercury, a newspaper published in Madison county, Alabama, and that affiant is the publisher and proprietor of said newspaper.

R. L. O'Neal.

Sworn to and subscribed before me this 8th day of July, 1907.

Rachel Tomlinson,
Notary Public.

By Mr. Reynolds:

S. 634. To provide for an auditing of the dispensaries of Bibb county, Alabama, and to further regulate dispensaries.

Temperance.

With notice and proof as follows:

Notice is hereby given that a bill will be introduced at the ensuing July session of the Legislature of Alabama providing for the selection of two auditors or inspectors of dispensaries for Bibb county, Alabama, and specifying their duties and providing for their compensation and also to further regulate any dispensaries now existing or which may hereafter be established in said county.

The State of Alabama, }
Bibb County. }

Before me, R. L. Avery, clerk of the circuit court of Bibb county, Alabama, personally appeared L. H. Nunnelee, who, being by me duly sworn, says on oath, that he is publisher of the Centreville Press, a newspaper published in Bibb county, Ala., and that the above and foregoing notice was published in the Centreville Press for four successive weeks, the first insertion being on the 13th day of June, 1907, and ending on the 4th day of July, 1907.

L. H. Nunnelee,
Publisher of Centreville Press.

Sworn to and subscribed before me this 9th day of July, 1907.

R. L. Avery,
Clerk of Circuit Court.

REPORTS OF COMMITTEES.

Mr. Lusk, chairman of the standing committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:

H. 300. To regulate the jurisdiction of suits against ~~non-residents~~ or foreign corporations upon causes of action arising outside of the State, and the service of process on such non-residents or foreign corporations.

Also,

H. 1132. To amend section 8 of an act entitled "An act to confer and limit the powers of business corporations, and to provide for their organization and regulation," approved October 2, 1903.

Also,

H. 1108. (With amendment.) To amend section 1 of an act entitled an act for the relief of needy confederate soldiers and sailors resident citizens of Alabama, and their widows, approved February 10th, 1899.

Also,

H. 1206. (With amendment.) To make an enumeration, or census, of the confederate soldiers residing in the State of Alabama, and to provide for the payment therefor.

Also,

H. 390. To increase "The Alabama Monument Commission."

Also,

H. 543. (Substitute.) To authorize cities and towns of the State of Alabama to erect, acquire, enlarge, maintain and operate water works systems and to provide the details of the same.

Also,

H. 1049. (Substitute.) To provide for the holding of two terms, each year, of the circuit court of the Ninth judicial circuit at Albertville, in Marshall county, and to regulate the same.

Also,

H. 900. To amend sections 2, 3, 6, 10, 11 (as amended March 2, 1901) 12, and 18 (as amended March 2,

1901) of an act, to establish a county court for the county of Clay, approved Dec. 13th, 1898.

Also,

H. 1141. To repeal an act entitled an act to increase and regulate the fine and forfeiture fund of Lee county, and to provide for the payment of State's witnesses out of the same, approved March 4th, 1901.

Also,

H. 1155. To prevent and punish any person, firm or corporation residing in or doing business within any stock law district in Covington county enclosed by any fence or fences, from turning any stock prevented from running at large within such stock law district in or on any territory within said county where any such stock are prohibited by law from running at large in non-stock law districts in said county; making the violation of such act a misdemeanor, and providing that the act take effect from and after its passage and approval by the governor.

Also,

H. 1228. For the relief of T. M. Smith, clerk of the circuit court of Autauga county, Alabama.

Also,

H. 1252. To fix the time of holding the circuit court in the county of Lawrence, in the Eighth judicial circuit of Alabama.

Also,

H. 1273. To provide for the transfer of all cases charging the commission of a misdemeanor, presented by indictment by the grand jury of the circuit court of Morgan county, Ala., to the Morgan county law and equity court of Morgan county, Ala., and to provide for the trial of said causes so transferred.

Also,

H. 1275. To provide for the transfer to the Morgan county law and equity court, of all causes pending in the chancery court of Morgan county, Alabama, at the time of the approval of this act, and to provide for the trial of causes so transferred.

Also,

H. 1314. To abolish and close the dispensary at Headland, Henry county, Alabama.

Also,

H. 1305. To fix the salary of the county treasurer of Walker county, Alabama.

Also,

H. 378. To amend sections 1321 and 1322 of the Code of 1896, as amended by the act approved March 7, 1907.

Mr. Bayles, chairman of the standing committee on Revision of Laws, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:

H. 628. To amend sections one (1) and four (4) of an act entitled an act to amend sections 1116 (1547), 1117 (1548), 1118 (1549), 1119 (1550), and 1120 (1551) of the Code of Alabama of 1896, approved February 28th, 1903.

Also, (with amendment.)

H. 1233. To make it unlawful for any person to carry about his person a pistol or firearm of any kind or description, or air gun, other than on his own premises or from the place of purchasing such firm arm or air gun to his premises or place of business, shorter than twenty-four inches in length and to fix the burden of proof and the punishment for the violation thereof.

Also,

H. 1050. To prescribe the duties, fix the fees and commissions of the deputy solicitor of Escambia county, Alabama, and make disposition of the residue of the fees and commissions earned by such solicitor.

Also,

H. 1051. To provide for the payment by the county of Escambia of all accounts for postage used by certain officers of said county.

Also,

H. 999. To repeal an act entitled an act to authorize and empower the Decatur Land Co., a corporation, to list certain of the lands to the tax assessor of Morgan county in acreage, approved December 13th, 1900.

Mr. Miller, chairman of the standing committee on Finance and Taxation, reported that said committee, in

session, had acted on the following bills and ordered same returned to the Senate with a favorable report:

(With substitute.)

H. 987. To impose a tax of one dollar each year on all dogs in the State of Alabama over four months of age, and to provide for the collection of such tax and to provide that all live stock killed or injured and all damages done thereto shall be paid for out of the dog tax fund, and to provide that the surplus left in the dog tax fund on the first day of March of each year shall be paid into the public school funds of the county in which said tax was collected.

Also,

S. 622. To amend section 2904 of the Code of Alabama, as now amended.

Also,

S. 621. To appropriate fifteen hundred dollars for the purpose of furnishing and equipping the office of mine inspectors of this State with necessary and suitable furniture, apparatus, machines and all other necessary instruments.

Also,

S. 626. Authorizing the recovery and requiring the refund of any money erroneously paid, or collected for taxes, whether paid under compulsion or protest or not.

Also,

S. 616. To amend section 4120 of the Code of 1896.

Also,

S. 614. To provide for refurnishing and in keeping in repair the State capitol and the several offices therein, and to provide for the improvement and keeping in order the State capitol grounds.

Also,

S. 613. To further direct the expenditure of the money covered by the appropriation heretofore made for the Alabama Industrial school for white boys.

Also, with amendment:

S. 607. To provide for the further maintenance and support of the State Normal school for colored students at Montgomery.

Also,

H. 1307. For the relief of tobacco dealers, other than dealers who conduct tobacco and cigar stands, who have paid the license tax under the bill approved March 7, 1907, entitled an act to better provide for the revenue of the State.

Also,

H. 1232. To make further provisions for defraying the expenses of the Legislature.

Also,

H. 1107. To appropriate twenty-five hundred dollars (\$2,500.00) for the incidental and contingent expenses to be disbursed on the order of the governor.

Also,

H. 906. To appropriate a sum of money to pay for the stationery and stationery supplies used by the Legislature of Alabama during this present session.

Also,

H. 1094. To amend section 1 and 4 of an act to appropriate annually \$67,000.00 or so much thereof as is necessary, to aid rural school districts in the State to erect or repair public school houses, approved March 2, 1907.

Also, with amendment:

S. 600. To make an appropriation for the erection of monuments commemorating the heroic deeds of Alabama's sons, to be expended by the Alabama Monument Commission, with the approval of the governor.

Also,

H. 1023. For the relief of J. S. Baker, a confederate pensioner of Tallapoosa county, Alabama.

Also,

H. 1012. For the relief of Mary A. Galaway, widow of an ex-confederate soldier, being a resident of Shelby county, Alabama. Whereas, Mary A. Galaway has long been on the pension rolls for Shelby county, Alabama, but for the year 1905 her name was dropped from said roll through mistake.

Also,

H. 1183. (With amendment.) For the relief of Mrs. Mary Jane Vernon, widow and sister of G. B. Alexander, a confederate pensioner.

Also,

H. 798. To refund and pay back to the town of Camp Hill certain dispensary State license money collected and paid into the State treasury under and by virtue of the provisions of an act entitled an act to better provide for the revenue of this State, approved March 4th, 1903, for the privilege of operating a dispensary in the town of Camp Hill under an act entitled an act to establish and maintain and regulate a dispensary in the town of Camp Hill, Tallapoosa county, Alabama, approved September 26, 1903, which said act was declared unconstitutional and void, and said dispensary closed and not operated after the 31st day of March, 1904.

Also,

H. 239. To repeal an act entitled an act to repeal section 1017 and section 1018 of the revised Code of 1896 in so far as the same relates to Calhoun, Mobile, Etowah and Marion counties, approved March 1, 1901, so far as the same relates to Marion county.

Also,

H. 1291. For the relief of W. C. Evans, a confederate pensioner of Pickens county, Alabama. Whereas W. C. Evans, a needy confederate soldier of Pickens county, Alabama, was on the pension roll of said county, and entitled to participate in the distribution of the fund for the relief of needy confederate soldiers under the act approved February 10th, 1899, and whereas, during the year 1905, the State Board of Pension examiners, through error had the name of said W. C. Evans stricken from said roll as dead, thereby depriving him of the amount due him under distribution of said fund made on October 1st, 1905, and on October 1st, 1906.

Also,

H. 1269. For the relief of Mrs. Catherine Morrison.

Also,

H. 1244. To relieve and exempt the Alabama State Fair and Exhibit Association and all persons, firms or corporations who conduct business with said association on its fair grounds in Jefferson county, during the annual fairs of said association from the payments of all State, county and municipal taxes and licenses.

H. 1229. To authorize the board of directors of the State Normal School of Jacksonville, for and in behalf of said Normal School and for and in behalf of the State of Alabama, to sell and convey to the mayor and city council of Jacksonville, a certain house and lot on or near the southeast corner of the public square of the town of Jacksonville, Alabama, the same being the ~~house and lot formerly used and occupied by Calhoun county as a county court house, and now used by said Normal School for school purposes;~~ the proceeds of said sale to be used and applied by said board of directors of the State Normal School at Jacksonville, for the benefit of said Normal School.

Also,

H. 1214. For the relief of Mrs. M. A. Jones, widow of an ex-confederate soldier.

Also,

H. 1179. To provide for the celebration of the one-hundredth anniversary of the battle of Tohopeka or Horseshoe Bend, in 1814.

Also,

H. 1160. To provide for guards for the Montgomery county jail and to fix the compensation for such guards.

Also,

H. 1138. To appropriate the sum of \$21.60 for the year 1904 and the further sum of \$30.00 for the year 1905, and the further sum of \$30.00 for the 1906, total \$81.60 to May Morris, widow of John Morris, an ex-confederate soldier, as a confederate pensioner for said years, her name having been erroneously omitted from the lists of pensioners for said years.

Also,

H. 1104. (With amendment.) For the relief of Mary Marler, Mary J. Simpler, widows of confederate soldiers, and A. Campbell, a confederate soldier, being residents of Crenshaw county, Alabama. Whereas, Mary Marler, Mary J. Simpler, and A. Campbell has long been on the pension roll of Crenshaw county, Alabama, but for the year 1906 their names were dropped from said roll through mistake.

Also,

H. 985. For the relief of Walter-Cotter Co., on unexpired license as future dealers.

Also,

H. 366. To provide for the establishment, maintenance and regulation of a dispensary for the sale of spirituous, vinous, malt liquors, ciders and other intoxicants in and for Fayette county, Alabama.

Also,

H. 1197. To provide for an election in Perry county, Alabama, to determine whether spirituous, vinous and malt liquors shall be sold in said county after January 1st, 1909, to provide for holding said election and for other purposes.

Also,

H. 933. To vacate and annul as public streets or highways that portion of First street in the town of North Birmingham, Alabama, beginning fifty feet south of Seventh alley, and running thence south to the Southern Railway right-of-way, and that portion of Second street in the town of North Birmingham, Alabama, running from the south line of Seventh alley, south to the north line of Eighth alley, both according to the map of the North Birmingham Land Company; and to annul and extinguish the dedication thereof.

Also,

H. 1316. To vacate, abolish and annul as alleys, streets or public highways, the following streets and alleys as shown and contained in the map of the property of the North Birmingham Land Company, in Jefferson county, Alabama, to-wit: the alleys running east and west through the center of blocks numbered 214 and 234 and lying between the west line of 14th street and the east line of 15th street; also that portion of Sixth avenue lying along the north of said block 214 and south of what is known as the Jonesville road, as now located at said point; also that portion of Seventh avenue lying between the west line of 14th street and the east line of 15th street; also that portion of 8th avenue lying west of the west line of 14th street and south of block 234; and to annul and extinguish the dedication thereof.

Also,

H. 898. To prohibit the sale of wine in the city of Thorsby, Alabama, in quantities less than one gallon; to prohibit the drinking of wine on the premises where sold, or in a room adjoining the premises where sold; and to

provide that any person violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not less than ten dollars and costs for each offense; and repealing all laws and parts of laws in conflict with this act.

Also,

H. 980. To fix and provide for the salary of the chancellor of the ~~Southwestern~~ chancery division of the State of Alabama.

Also,

H. 979. To fix and provide for the salary of the judge of the Thirteenth judicial circuit of Alabama.

Also,

H. 956. To provide for the appointment by the judges of the city court of Birmingham of the necessary bailiffs for said court and to fix the duties, powers, liabilities and compensations of said bailiffs and to provide for the payment of their compensation.

Also,

H. 531. For the relief of Beverly Jackson, alies Beverly Green.

Mr. Hamner, chairman of the standing committee on Banking and Insurance, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:

S. 606. (With substitute.) To regulate the placing of insurance in unauthorized companies; defining agents; requiring the signature of agents to policies; providing for re-insurance; defining brokers and prescribing fees for same; and providing penalties for certain violations.

Also,

S. 605. To further regulate insurance in the State of Alabama.

Mr. Doster, chairman of the standing committee on Corporations, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report:

H. 565. To confer upon foreign municipal corporations of adjoining States the power and authority to acquire, own, take and dispose of property in the State of Alabama for the purpose of procuring water in this State for a municipal water supply; and also to confer upon such municipalities the power to contract to furnish a supply of water to any town, city or municipality of this State.

Mr. Merritt, chairman of the standing committee on Local Legislation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:

H. 192. To amend section 5001 of the criminal Code, and to provide for the organization of a grand jury at adjourned term of the circuit or city courts.

Also,

H. 1169. To establish an inferior court in precinct No. 10 in Morgan county, Alabama, in lieu of all justices of the peace and notaries public with powers of justices of the peace in said precinct, and to define the jurisdiction and powers of said court and the judges thereof.

Mr. Strother, chairman of the standing committee on Municipalities, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:

S. 610. To amend section one of an act entitled an act, "To provide for the settlement, adjustment and re-funding of the bonded indebtedness of municipal corporations," approved February 26, 1903, so as to read as follows.

Also,

S. 627. To authorize cities and towns in this State to extend their corporate limits and to provide the manner in which it may be done.

Mr. McWhorter, chairman of the standing committee on Temperance, reported that said committee in session,

had acted on the following bills and ordered same returned to the Senate with a favorable report:

S. 558. To establish a dispensary in and for the town of Berry, in the county of Fayette, State of Alabama, and to provide for the conduct and regulation of the same.

Also,

S. 232. To repeal an act entitled "An act to prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, or any intoxicating bitters, within four miles of the Tuscaloosa district high school, situated at Berry Station, Fayette county, Alabama.

Also,

H. 868. To prohibit the sale, giving away, or otherwise dispensing of spirituous, vinous, or malt liquors or other intoxicating drinks or beverages, within five miles of the Corona Methodist church in Corona, in Walker county, Alabama.

Also,

H. 1098. To provide for closing and discontinuing the dispensary operated under an act to establish a dispensary in the town of Clanton, county of Chilton, State of Alabama, and to provide for the conduct and regulation of the same, approved March 2, 1907.

Also,

H. 1315. To establish a dispensary in and for the town of Andalusia, in the county of Covington, in the State of Alabama, and to provide for the conduct and regulation of the same.

Mr. Wilson, chairman of the standing committee on Mining and Manufacturing, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:

H. 558. (With amendment.) To regulate the employment of child labor in certain mills, factories and manufacturing establishments in this State, and to provide for the inspection of the rooms, places and premises wherein they are worked and to adequately punish violations of this act.

(Taken from an adverse report by Com. on L. L.)
By Mr. King:

H. 929. To alter or rearrange the boundary lines of the city of Birmingham, Alabama.

Mr. Blackmon, chairman of the standing committee on Military, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report:

H. 185. For the relief of Maj. David M. Scott, of the Alabama National Guard. Whereas Maj. David M. Scott of the Alabama National Guard received permanent personal injuries on the 22nd day of July, 1905, while in the discharge of duty as an officer of the national guard, under orders from the governor of the State; and whereas said injuries have cost him in surgical and medical fees, and in lost time, the sum of eleven hundred and twenty-nine and forty-five one hundredth dollars, therefore.

Mr. Reynolds, chairman of the standing committee on Education, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report:

S. 623. To empower the superintendent of education to give certificates of proficiency and of license to teach.

H. 916. To establish a high school for Dale county, to be located at Ozark, Alabama.

The foregoing bills contained in said committee reports were severally read a second time and placed on the calendar.

RESOLUTIONS.

Mr. White offered the following resolution:

S. R. 83. Resolved, that the committee on Privileges and Elections, to whom was referred House bill 1178, are hereby instructed to report thereon to the Senate at its afternoon session today, and in case a quorum of said committee fail or refuse to meet and act upon said

bill during the noon recess of the Senate today, then the chairman of said committee is directed to return said bill to the Senate at its afternoon session today without action.

Which was referred to the committee on Rules.

Mr. Spragins offered the following resolution:

S. R. 84. That the afternoon and evening session of the Senate a roll call of the Senate shall be had and each Senator shall have the right to call up such local bills as he desires and when said roll call for local bills has been completed, then a roll call of the Senate shall again be made and each Senator shall have the right to call up the general bill.

Which was referred to the committee on Rules.

Mr. Lusk offered the following resolution:

S. R. 85. Resolved, that beginning from the adoption of this resolution the order of business shall be:

1st. During the morning session, 9 a. m. to 1 p. m. special order of Senate bills will be considered until further ordered.

2nd. During the afternoon session, 3:30 p. m. to 5:30 p. m., the roll of Senators shall be called, when each Senator may call up for passage two local bills.

During the evening session, 8 p. m. to 10 p. m., special orders of Senate bills will be considered until further ordered.

Hereafter the call of districts for the introduction of bills be discontinued.

Which was referred to the committee on Rules.

Mr. Lusk offered the following resolution, to-wit:

S. J. R. 86. Resolved by the Senate, the House of Representatives concurring, that when the Legislature adjourns for today it be to meet on Monday next, July 29th.

Which was referred to the committee on Rules.

Mr. Moody offered the following resolution, to-wit:

S. R. 87. Resolved, that Senate bill 568 and Senate bill 569 be made special paramount and continuing orders for Monday, July 29, 1907, at 12 m. and 1 p. m., respectively.

Which was referred to the committee on Rules.

Mr. Teasley offered the following resolution, to-wit:

S. R. 88. Resolved by the Senate, that House bill 901 be made a paramount continuing special order for 10:30 o'clock on the next legislative day.

Which was referred to the committee on Rules.

Mr. Overton offered the following resolution, to-wit:

S. R. 90. Resolved, that S. B. 507 be made a special, prompt, paramount and continuing order at 11 o'clock on the next legislative day. This July 26, 1907.

Which was referred to the committee on Rules.

Mr. Miller offered the following resolution, to-wit:

S. R. 89. Resolved, that Senate bills 406 (relating to sale of hop-jack), 503 (relating to sale of whisky by prescription), (274 add'l elections concerning bonds), 359 (relief of D. J. O'Connell) be made special, continuing and paramount orders in the order above named for the next legislative day immediately after the call of the standing committees.

Which was referred to the committee on Rules.

Mr. Overton offered the following resolution, to-wit:

S. R. 91. Resolved, that S. B. 551 be made a special, paramount and continuing order for 10 o'clock on the next legislative day. This July 26, 1907.

Which was referred to the committee on Rules.

Mr. Spragins offered the following resolution:

S. R. 92. Resolved, that S. 543, To exempt from taxation for ten years farm wagons with wheel-tires which are at least six inches wide, be set for paramount continuing order for next legislative day 12 o'clock.

Which was referred to the committee on Rules.

Mr. Thomas offered the following resolution, to-wit:

S. R. 93. Resolved, that the following bills be made special, paramount, continuing, special orders for the next legislative day, commencing at 12 o'clock in the following order, to-wit: S. bill 202 on page 41 calendar of 26 day of July; H. 271, on page 31 of calendar of July 26; S. 600, relative to monument to confederate soldiers; S. 565, on page 26 of the calendar July 26; S. 443, on page 16 of the calendar July 26; S. 434, on page 16 of calendar July 26; S. 436, on page 16 of calendar July 26; S. 438, on page 16 of calendar July 26.

Which was referred to the committee on Rules.

Mr. Hamner offered the following resolution, to-wit:

S. R. 94. Resolved, that H. B. 590 be made a special order for tomorrow (the next legislative day) at 12:05 p. m. This July 26, 1907.

Which was referred to the committee on Rules.

Mr. Gunn offered the following resolution, to-wit:

S. R. 95. Resolved, that Senate bill No. 615 be set down as special order immediately after completing the call of roll for local bills in afternoon of July 26.

Which was referred to the committee on Rules.

Mr. Horton offered the following resolution, to-wit:

S. R. 96. Resolved, that House bill number 421 (relating to soil surveys), and House bill 863 (relating to establishing normal school at Moundville) be special orders for next legislative day at 12 o'clock.

Which was referred to the committee on Rules.

Mr. Reynolds offered the resolution, to-wit:

S. R. 97. Resolved, that Senate bill No. 423 be made a special order for 10 o'clock on the next legislative day.

(Bill relates to sale of pistols.)

Which was referred to the committee on Rules.

REPORT FROM THE COMMITTEE ON ENGROSSED BILLS.

Mr. President:

The committee on Engrossed Bills report that they have examined the following Senate bills: 273, 384, and compared them with the original bill respectively and found to be correctly engrossed.

Robert E. Spragins,
Chairman.

MESSAGE FROM THE HOUSE.

Mr. President: .

The House has amended, as therein shown, and as amended has passed:

S. 420. To further regulate the working of the public roads of Bibb county, Alabama.

And returns the same herewith to the Senate.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

The Senate concurred in the House amendment to S. B. 420, the title to which appears in the foregoing message from the House, said amendment being as follows:

AMENDMENT TO SENATE BILL 420.

Amend the title to Senate bill No. 420, by adding after the last word in the title, as shown by the engrossed bill, the following words: "To further provide and regulate the building and repairing of bridges along said public roads, to further provide for and regulate the maintenance and up-keep of said public roads and bridges, to further regulate the public road affairs of said county and to provide punishment for the violation of this act."

Amend section 9 of the bill as engrossed by striking out all of that part of said section from and including the word "fixed" where it occurs in the second line of said section to and including the word "supervisors"

where it occurs in the eighth line of said section, and insert in lieu thereof the words "seventy-five dollars per month for the time the supervisors are actually engaged, in person and not by substitute, in the performance or discharge of their duties as such supervisors."

Amend said bill by striking out all of section 11. Also amend said bill by adding the following section thereto:

Section 31. The court of county commissioners of said county are hereby authorized to fix and prescribe license for each and every engine or vehicle or contrivance of like kind or description weighing more than four thousand pounds which makes use of the public roads of said county, said license to be paid monthly by the person owning or operating said engine or vehicle to the road supervisor of the district in which same makes use of said roads of said county. Said county shall have a lien on said engine or vehicle for the amount of said license which shall be superior to all other liens except for taxes, and said lien may be enforced and satisfied by appropriate proceedings in the chancery court held for said county or may be enforced and collected as material man's liens are enforced and collected.

Section 32. It shall be a misdemeanor for any unauthorized person to change or alter the width or otherwise alter or change any bridge on the public roads of said county and on conviction thereof shall be fined not more than five hundred dollars.

Section 33. The court of county commissioners of said county are hereby authorized to fix and prescribe a license for each wagon, dray or other vehicle which is drawn or used on the public roads of said county when said wagon, dray or other vehicle is used in hauling or carrying a load or weight of more than four thousand pounds and said license may be imposed for the right to use any particular portion of the public roads of said county. Said license shall be payable monthly and shall be collected by the road supervisors of said county and shall be a first lien, except for taxes, on such wagon or vehicle as is named above. Said lien may be

enforced by appropriate proceedings in the chancery court of said county by said supervisor of the respective districts for the benefit and to the use of said county, and all licenses collected under the provisions of this act shall be paid into the road funds of said county for the benefit of the district in which they may accrue and the said licenses may also be enforced and collected as prescribed by law for the enforcement of a material man's lien.

Section 34. The court of county commissisoners of Bibb county shall have charge of and jurisdiction of the repair or building of all bridges in said county where the cost of building or repairing amounts to more than twenty-five dollars, and payment for such building and repairing of bridges where the amount of the cost exceeds twenty-five dollars shall be paid out of the general fund of said county.

Yeas, 29, nays, 0.

Yeas:

Barbour	Heacock	Merritt	Reynolds
Davis	Hinson	Miller	Spragins
Forrester	Horton	Moody	Strother
Gardner	Jones	McWhorter	Teasley
Glenn	King	Overton	White
Gunn	Leith	Reese	Wilson
Hamner	Lusk	Reid	Wimberly
Hayes			—29.

NOTICE.

Notice is hereby given that on the next legislative day, immediately after the call of the standing committees, I will move to take from the adverse calendar House bills, Nos. 515, 575 and 682, and have the same placed upon the Senate calendar for a second reading.

W. T. Lowe.

NOTICE.

Notice is hereby given that on the next legislative day a motion will be made to take from the adverse calendar S. B. 609 and to place the same on the calendar of the Senate.

July 26, 1907.

Geo. T. McWhorter.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the report of the conference committee on the disagreement of the two Houses on the House amendments to:

S. 509. To provide for the organization, incorporation, government and regulation of cities and towns, and to define the rights, powers, duties, jurisdiction and authority of such cities and towns and of the officers thereof, and to prescribe penalties for violations of the provisions of this act.

Cyrus B. Brown,
Clerk.

REPORT OF COMMITTEE OF CONFERENCE.

To the Senate and House of Representatives:

Your committee of conference on amendments to Senate bill No. 509, beg leave to report and recommend:

That the House of Representatives recede from the amendment offered to section two, and in lieu thereof strike out words January, 1908, in line 4, Sec. 2 of the bill and insert the words December, 1907, and that the House of Representatives recede from the amendment offered to section seventeen and substitute therefor the following:

"There shall be no recorder in towns", to be added at the end of the section.

We recommend that the House of Representatives recede from the amendment known as section 201 of said bill and in lieu thereof insert the following:

Section 201. That no mayor or alderman of any municipality shall accept employment, after his election, and during his term of office, from any public service company or corporation operating under any franchise granted by the municipality, and any person accepting

such employmet after his election thereby vacates his office.

We, the said committee, recommend that the other amendment be concurred in.

Gaston Gunter,
J. H. Cranford,
C. M. Sherrod,
Committee on part of the House.
Jas. W. Strother,
W. T. Lowe,
Norman Gunn,
Committee on part of the Senate.

The Senate non-concurred in the report of the committee on conference, and, on motion of Mr. Strother, a second conference committee was asked for, the members of the Senate committee to consist of the same members from the Senate.

Which motion was adopted; and, in obedience to said motion, the President reappointed as a committee on part of the Senate Messrs. Strother, Lowe and Gunn.

MESSAGE FROM THE HOUSE.

Mr. President:

The House accedes to the request of the Senate for a second committee of conference on the disagreement of the two Houses on the House amendment to the bill S. 509. Committee on part of the House: Messrs. Gunter, Sherrod and Crawford.

Cyrus B. Brown,
Clerk.

REPORT OF CONFERENCE COMMITTEE.

To the Senate and House of Representatives:

Your committee of conference on amendments to Senate bill No. 509, beg leave to report and recommend:

That the House of Representatives recede from the amendment offered to section two and in lieu thereof in-

sert the words "and qualified" in line 3, Sec. 2, after the word "elected" and after the word "act" in said line insert the words "and before the 1st day of January, 1908," offered to section two, and that the House of Representatives recede from the amendment offered to section seventeen and substitute therefor the following:

"But there shall be no recorder in towns", to be added at the end of the section."

We recommend that the House of Representatives recede from the amendment known as section 201 of said bill, and in lieu thereof insert the following:

"Section 201. That no mayor or alderman of any municipality shall accept employment, after his election, and during his term of office, from any public service company or corporation operating under any franchise granted by the municipality, and any person accepting such employment after his election, thereby vacates his office."

We, the committee, recommend that the other amendments be concurred in.

Gaston Gunter,
J. H. Cranford,
C. M. Sherrod,
Committee on part of the House.
Jas. W. Strother,
W. T. Lowe,
Norman Gunn,
Committee on part of the Senate.

The Senate concurred in and adopted the report of the conference committee on the disagreement of the two Houses to Senate bill No. 505:

S. 509. To provide for the organization, incorporation, government and regulation of cities and towns, and to define the rights, powers, duties, jurisdiction and authority of such cities and towns, and of the officers thereof, and to prescribe penalties for violations of the provisions of this act.

Yeas, 28; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lusk	Reynolds
Bayles	Hayes	Miller	Spragins
Davis	Heacock	Moody	Strother
Forrester	Horton	McWhorter	Thomas
Gardner	King	Overton	White
Glenn	Leith	Reese	Wilson
Gunn .	Lowe	Reid	Wimberly

—28.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has received the accompanying message from his excellency, the governor, proposing an amendment to House bill 960:

H. 960. To amend section one of an act entitled an act to aid and encourage technical education in the State of Alabama, and the providing for the erection and equipment of buildings and increased facilities at the Alabama Polytechnic Institute, approved March 2nd, 1907, so as to read as follows:

And the House has concurred in and adopted the amendment proposed by the governor to the bill by a majority vote of the whole House, yeas 63, nays 0, and send same herewith to the Senate.

Chief Executive Department, Alabama.

Montgomery, July 25, 1907.

To the House of Representatives:

I herewith return House bill 960, entitled an act to aid and encourage technical education in the State of Alabama, and providing for the erection and equipment of buildings and increased facilities at the Alabama Polytechnic Institute, approved March 2nd, 1907;

And I suggest for the consideration of the Legislature the following amendments thereto, viz.:

1. Amend said bill by omitting from the title thereof the words: "So as to read as follows," where said words occur together in the title.

2. Amend said bill by inserting in section one, immediately after words "Be it enacted by the Legislature of Alabama," the following words and figures, viz.: "That section 1 of an act entitled an act to aid and encourage technical education in the State of Alabama, and providing for the erection and equipment of buildings and increased facilities at the Alabama Polytechnic Institute, approved March 2nd, 1907, be amended so as to read as follows:

B. B. Comer,
Governor.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

The Senate concurred in and adopted the governor's amendment to House bill 960, the title to which is set out in the above and foregoing message from the governor.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Barbour	Hinson	Merritt	Reynolds
Davis	Horton	Miller	Spragins
Forrester	Jones	Moody	Strother
Gardner	King	McWhorter	Thomas
Glenn	Leith	Overton	White
Gunn	Lowe	Reese	Wilson
Hamner	Lusk	Reid	

—27.

Which was a majority of the whole number elected to the Senate.

REPORT FROM COMMITTEE ON ENROLLED BILLS.

Mr. President:

The committee on Enrolled bills have examined the following Senate bills:

S. 396. To repeal an act approved December 13, 1900, entitled an act to establish, maintain and regulate a

dispensary in the town of Roanoke, Randolph county, Alabama, for the sale of spirituous, vinous or malt liquors, ciders and other intoxicants and to establish a board of commissioners for the management of said dispensary and for other purposes.

S. 400. To repeal an act approved February 13th, 1897, entitled an act to regulate the sale of spirituous, vinous or malt liquors in the corporate limits of the town of Roanoke, Randolph county, Alabama.

S. 414. To prevent the sale, barter, exchange and giving away of spirituous, vinous or malt liquors, or intoxicating beverages of any kind, within the territory now embraced in the election precinct No. nine (9) in Covington county, Alabama, except within the present corporate limits of the town of Florala and to provide punishment for violation of this act.

S. 449. To pass a law to require the governor to send a State examiner of public accounts or some other expert accountant to audit and examine into the accounts, and operations of all incorporated towns and cities in Dallas county, operating public utilities.

S. 474. To fix and provide for the salary of the chancellor of the Southwestern chancery division of the State of Alabama.

S. 475. To fix and provide for the salary of the judge of the Thirteenth judicial circuit of Alabama.

S. 484. To fix the time of holding the circuit courts in the counties of Walker and Winston, composing the Fourteenth judicial circuit of the State of Alabama.

S. 504. To fix the time of holding the circuit court in the county of Limestone in the Eighth judicial circuit of Alabama.

S. 525. To prohibit the barter or exchange of spirituous, vinous or malt liquors or intoxicating beverages or drinks within three miles of the Sister Springs church, in Dallas county, Alabama, and to provide for the punishment of the violation of said act by the circuit court of Dallas county and Lowndes county.

S. 543. To ratify, confirm and legalize the orders, acts and proceedings of the commissioners' court of Choctaw county in issuing to the contractors for build-

ing the county court house, three principal warrants and six subsidiary warrants representing a legal rate of interest from January 1st, 1907, on said three principal warrants in settlement of the cost of constructing county court house, and to authorize the payment of said warrants.

S. 467. To prescribe rules of practice and procedure in the circuit court of Montgomery county and to define the powers of the judge of said court in reference thereto.

And find same to be correctly engrossed.

Frank S. Moody,
Chairman.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read at length by the secretary, signed the above Senate bills, the titles of which are set out in the foregoing report from the committee on Engrossed Bills, the reading at length of said bills having been dispensed with by a two-thirds vote of a quorum of the Senate present.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bills:

H. 1271. To amend an act entitled an act, to establish the Morgan county law and equity court; to create and define its jurisdiction; to provide its officers, their powers, duties and compensation, to fix the terms of said court; and to prescribe rules and procedure for said court, approved February 25, 1907; by adding section 37, providing that the judge of the said Morgan county law and equity court be authorized and empowered to direct the sheriff of Morgan county to appoint a sufficient number of deputies to serve the process of this court, and

perform other necessary and proper duties and to provide for the compensation of the sheriff, deputies and janitor for said court; and by adding section 38, providing for the trial of all causes removed to the Morgan county law and equity court from any other court in Morgan county; and by adding section 39, providing that a session of said court may be held at any time and for such purpose as the judge of said court may determine, and for which petit and grand jurors may be summoned and empanelled; and by adding section 40 providing for rendering final judgment upon forfeited bonds; and by adding section 41 providing for the investigation of charges against any defendant in the county court of Morgan county, Ala., by the grand jury of the Morgan county law and equity court.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Morgan County. }

Before me, Frank J. Davis, a notary public, in and for said State and county, this day personally appeared Harold E. Hildreth, who being by me duly sworn, deposes and says that he is the publisher of the New Decatur Advertiser, a newspaper published in New Decatur, Morgan county, Alabama; that notice of the intention to apply to the present session of the Legislature of Alabama for the passage of an act to amend an act, establishing in and for Morgan county, Ala., the Morgan county law and equity court, has been published without cost to the State of Alabama, in said newspaper once a week for four consecutive weeks, beginning with the 20th day of June, 1907, issue of said paper, and appearing in the issues of June 20th, June 27th, July 4th and July 11th, 1907, respectively, and concluding with the July 11th issue of said paper; that the notice herein referred to, stated the substance of said proposed amendatory act as is shown by a copy of said notice as published and appearing in each of the issues of said

paper as hereinabove stated, and which said copy is hereto attached and marked exhibit A and made a part of this affidavit.

Harold E. Hildreth.

Sworn to and subscribed before me, this July 1, 1907.

Frank J. Davis,
Notary Public.

NOTICE OF AN ACT.

Notice is hereby given that a bill will be introduced at the July session of the legislature of Alabama, the substance of which will be to amend an act, entitled "an act to establish the Morgan county law and equity court; to create and define its jurisdiction; to provide its officers their powers, duties and compensation; to fix the terms of said court and to prescribe rules and procedure for said court," approved February 25, 1907, which said amendments are substantially as follows:

Section six of said act is to be amended by adding the following:

The Morgan county law and equity court shall hold its sessions in the room at the court-house of Morgan county, Alabama, now used for a court-room by the circuit court. If the said circuit court shall be in session and is using said court-room, the Morgan county law and equity court is hereby empowered and authorized to use as its court-room, the room in said court-house now used by the board of county commissioners for holding its sessions of court, and which is on the first floor of said court-house and is the southeast room.

Section seven of said act is to be amended by striking out the word "thirty," which is the three hundredth and sixty-fourth word in said section, and inserting in lieu thereof—the word "fifteen."

Also, ~~shall provide that~~ the judge of this court shall be authorized to allow amendments to the pleadings in any cause, at any time he may deem it proper so to do, and such amendment shall not work a postponement or continuance of the trial of the cause, unless the judge

may be of the opinion that it would be hurtful or injurious to the litigant unless a continuance or postponement were granted. Also, by adding to said act, section 37, which section shall provide in substance that the judge of this court be authorized and empowered to direct the sheriff of Morgan county to appoint a sufficient number of deputies to serve the processes of this court and perform such other duties as may be necessary and proper for the administration of the duties of said court; that each deputy shall be a fit, reputable, sober and competent man, and the judge of this court is to be the sole judge of his fitness, sobriety and competency; that each deputy shall receive for each day that he actually serves said court during any of its terms, whether regular or special, the sum of two dollars, and the sheriff shall also receive the sum of two dollars for each day he actually waits upon said court; that the said deputies and the said sheriff shall be paid out of the general funds in the treasury of Morgan county, Alabama, in like manner as other debts are now paid; that said court may have a janitor, whose duties shall be to wait upon the court during any of its terms and whenever necessary, and shall receive as compensation therefor the sum of two dollars per day, to be paid out of the general fund in the treasury of Morgan county, Alabama; the same as other debts are now paid. Also, by adding thereto, section 38, which shall provide for the trial of all causes removed to this court from any other tribunal in Morgan county, including the chancery court, circuit court, county court, justices' court and the mayor's court of any municipality in said county. Also, by adding thereto, section 39, which shall provide that if at any time during a vacation of the court or during any regular term of said court in the opinion of the judge of this court, a session of the court should be held, the judge of said court, upon making a minute entry therefor, is empowered and authorized to declare said court in session for such purpose or any other purpose that he may deem proper, and may order a grand jury to consider matters that may come before it, and a petit jury or juries to try any cause whatsoever that

may be set down for hearing, and the sheriff shall, upon the order of the court, summon such juries as may be prescribed and authorized by the court.

By adding thereto section 40, which shall provide that if for any reason, a forfeiture is taken upon any bond, the court may order the alias capias returnable at any time during the term of the court, provided it is not ~~earlier than 80 days, and unless the party or parties~~ against whom the forfeiture is taken can show good cause of the time such capias is returnable, why the forfeiture should be set aside, then, the court may make the judgment final.

By adding thereto section 41, which shall provide that for any reason a defendant in the county court of Morgan county, Alabama, shall desire that a grand jury investigate his case, he may demand of the judge of this court that a grand jury investigate his case and enter into a bond to appear at the next term of this court, and from term to term thereafter until discharged by due course of law, which bond shall be approved by the judge of this court.

W. H. Long, Jr.
A. J. Harris,
S. A. Lynne.

H. 949. To create a text book commission and to procure for use in the public schools in this State a uniform series of text books; to define the duties and powers of said commission and to make an appropriation for carrying into effect this act, and to provide punishment and penalties for the violation of same.

And sends same to the Senate.

H. 1238. To regulate dispensaries now operated, or which may be operated by municipalities in the county of Geneva; to prescribe and fix a license on each dispensary in addition to that already imposed under the general law; to provide for the payment of such license fee to the judge of probate of Geneva county, and to give the court of county commissioners power to disburse the fund created by such licenses, at its discretion, either in building, repairing or furnishing school houses and

buildings exclusively for rural districts of Geneva county, or for repairing the public roads of Geneva county, or for supplementing pensions to pensioners of the first class, or for all said purposes, and to provide a penalty for the failure to pay such license.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that application will be made to the adjourned session of the Legislature of Alabama, which convenes on the 9th day of July, 1907, for the passage of the following law:

A BILL

To be entitled an "Act to regulate dispensaries now operated, or which may be operated by municipalities in the county of Geneva; to prescribe and fix a license on each dispensary in addition to that already imposed under the general law; to provide for the payment of such license fee to the judge of probate of Geneva county, and to give the court of county commissioners power to disburse the fund created by such license, at its discretion, either in the building, repairing and furnishing school houses and buildings exclusively for the rural districts of Geneva county, or for repairing the public roads of Geneva county, or for supplementing pensions to pensioners of the first class, or for all of said purposes, and to provide a penalty for the failure to pay such license."

Section 1. Be it enacted by the legislature of Alabama, That each municipality now operating, or which may hereafter operate and maintain a dispensary for the sale of liquors, or other intoxicants in the county of Geneva, shall pay annually to the judge of probate of Geneva county, in addition to the amount now required to be paid under the general law, the following

amount, to-wit: Towns or cities of less than one thousand people, \$750.00; Towns or cities of more than one thousand and less than fifteen hundred, \$1000.00; Towns or cities of more than fifteen hundred and less than two thousand people, \$1500.00; Towns or cities of more than two thousand and less than twenty-five hundred people, \$2000.00, and Towns or cities of more than twenty-five hundred people, \$2500.00, and the population of each town shall be determined as hereinafter provided.

Sec. 2. Be it further enacted, That the amount herein required of any town or city shall be paid as follows: One-fourth thereof on or before January 15; one-fourth on or before April 1; one-fourth on or before July 1, and the remaining one-fourth on or before October 1, of the year in which the dispensary is operated. Provided, however, that any municipality which shall commence operating a dispensary after July 1, may pay only one-half the amount required for the full year.

Sec. 3. Be it further enacted, That the proceeds collected from this source shall be paid over to the county treasurer by the judge of probate, and shall be kept by the said treasurer in a separate fund, known and designated as the "Dispensary Fund," and shall be paid out by him on warrant order by the court of county commissioners, and drawn for any of the purposes hereafter named, and shall be paid on no other account.

Sec. 4. Be it further enacted, That the funds derived from this license shall be under the exclusive control of the court of county commissioners of Geneva county, and said court shall have the right, and it is hereby made its duty to use said fund for any or all of the following purposes, and none other, to-wit: (a) To improve the public roads of Geneva county, and keep the same in repair; (b) To build, repair or furnish school buildings exclusively in the rural districts of the county, Provided, that no money shall be appropriated for the purpose of building, repairing or furnishing any school, unless and until the patrons of such school shall

collect and pay to the judge of probate an amount equal to one-third of the proposed appropriation. And, provided further, that no appropriation for building, repairing or furnishing any school shall exceed the sum of five hundred dollars. (c) To supplement the amount appropriated to each pensioner of the first-class in Geneva county, not to exceed twenty-five dollars to any one.

Sec. 5. Be it further enacted, That the money expended by the court of county commissioners in improving the roads and in building, repairing, or furnishing school buildings, shall be done so under contract to responsible bidders and contractors, and it shall be the duty of the court of county commissioners in every case where contract is let hereunder, to require of the contractor a good and sufficient bond, in such sum as may be by it prescribed, for the faithful performance of the contract. Provided, however, that if there is at this session of the legislature any local road law passed for Geneva county, then such local law, as to the disbursement of the road fund created hereby, and as to contracts for the improvement of such roads, shall govern as to the disbursement of the road fund herein created and the contract with respect to them.

Sec. 6. Be it further enacted, That it shall be the duty of the court of county commissioners between January 1st and 15th of each year, in all cases where such court has doubt as to whether the population of any town operating a dispensary has less than one thousand inhabitants, to cause a census of the population thereof to be taken, and the license herein required shall be determined according to the census thus taken, and the expense of taking such census shall be paid out of the fund herein created.

Sec. 7. Be it further enacted, That any person, firm or municipality, who shall engage in the operation of a dispensary without having taken out license as herein required, or without paying the amount as herein provided, the amount to be based upon the population as ascertained by the preceding section, shall be guilty of a misdemeanor, and on conviction shall be fined double

the amount of the license required, as a right to operate such dispensary.

Sec. 8. Be it further enacted, That all laws or parts of laws in conflict with the provisions hereof, except as provided in section 5, be and the same are hereby repealed.

J. R. Alford.

The State of Alabama, }
County of Geneva. }

Before me, W. M. Jenkins, a notary public, ex-off. J. P., in and for said State and county, personally came J. E. McCants, who, being duly sworn, says that he is the editor and manager of The Hartford Times-Herald, a newspaper published in Hartford, in said county; and that said Hartford Times-Herald is a newspaper published in said county, and that the attached notice was published once a week for four consecutive weeks in said newspaper, before the making of this affidavit.

J. E. McCants.

Sworn to and subscribed before me this 6th day of July, 1907.

W. M. Jenkins,

Notary Public, ex-off. J. P.

H. 854. To prohibit the sale, barter or exchange, giving away, lending, delivering, or otherwise disposing of any spirituous, vinous, or malt liquors, intoxicating beverages, bitters, beers, "hop-jack," or intoxicating proprietary medicine of any kind, except upon the written prescription of a practicing physician, within one and a half miles of "Bethel" Methodist Episcopal Church, South, situated at Dolcito, in precinct (11) eleven, Jefferson county, Alabama.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

Birmingham, Ala., Feb. 22, 1907.

The State of Alabama, }
Jefferson County. }

This is to certify that I, J. S. Chadwick, of Birmingham, Ala., an editor and business manager of the Ala.

Christian Advocate, a weekly newspaper published in the city of Birmingham, county of Jefferson, State of Ala., and that the notice of a bill to be introduced in the Legislature of Ala., in substance or effect as follows:

“NOTICE.”

“Notice is hereby given that at the present session of the Legislature of Alabama, application will be made for the passage of a bill in substance or effect as follows:

“To prohibit the sale, barter or exchange, giving away, lending, delivering, or otherwise disposing of any spirituous, vinous or malt liquors, intoxicating beverages, bitters, beers, ‘hop-jack,’ or intoxicating proprietary medicine of any kind, except upon written prescription of a practicing physician, within one and one-half miles of Bethel M. E. Church, South, situated at Dolcito in precinct eleven (11), Jefferson county, Alabama, and to provide penalties for all such prohibited acts, and to repeal all laws in conflict with all such prohibitions.”

Appeared in the regular issues of the Ala. Christian Advocate, January 31st, Feb. 7th, 14th and 21st, 1907.

(Signed) “J. S. Chadwick,

“Editor and Bus. Mgr. Alabama Christian Advocate.”

W. H. Bowen,
Notary Public, Jefferson County, Alabama.

The State of Alabama, }
Jefferson County. }

Subscribed and sworn to, before me this 22nd day of February, 1907.

W. H. Bowen,
Notary Public.

H. 1222. To create a police commission for the city of Huntsville, and to define its jurisdiction and powers.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
 Madison County. }

Before me, W. F. Esslinger, a notary public in and for said State and county, this day personally appears R. L. O'Neal, who, being duly sworn, says that the following notice of intention to apply for local law, to-wit:

NOTICE.

Is hereby given that substantially the following bill will be introduced at the July term of the Legislature:

A BILL

To be entitled an act to create a police commission for the city of Huntsville and to define its jurisdiction and powers.

Section 1. Be it enacted by the Legislature of Alabama, That there is hereby created a commission to be known as the police commission of the city of Huntsville, which shall be composed of five members, to be appointed by the governor, and who shall hold office for the term of four years and until their successors are appointed and qualified.

2. The members of said commission shall be appointed without reference to politics, and shall be citizens of the city of Huntsville, intelligent, and of good moral character, and shall take and file with the city clerk an oath to discharge the duties of their office without fear, favor or partiality and to the best of their ability. They shall be paid the salary of six dollars per month, each, by the mayor and aldermen of the city of Huntsville.

3. Said commission shall have entire and full charge, supervision and control of the marshal and police force of the city of Huntsville, with full power to select, suspend or discharge the marshal of policemen and to prescribe their qualifications (provided that said marshal and policemen shall be men of intelligence, of good habits and of good moral character), and to adopt such rules and regulations to these ends as they may think proper. The said commission shall meet at such times

and places as they may fix or establish, but at least once a month, for the purpose of hearing and passing upon charges or complaints against members of the police force or for other purpose relating to the betterment and more efficient service of the police force of said city. At such meetings three members shall constitute a quorum for the transaction of business, one of whom shall be elected chairman of the meeting. The city clerk shall attend such meetings and shall be ex-officio secretary of said commission, and shall make and keep in his office minutes and a record of the rules, meetings and proceedings of said commission.

4. All laws and parts of laws in conflict with the provisions of this act are hereby repealed. d1t-w4t

Was published once a week for four consecutive weeks upon the following dates, to-wit: May 30th and June 6, 13 and 20th, 1907, in the Daily Mercury, a newspaper published in said county of Madison, and that affiant is the editor and publisher of said paper.

R. L. O'Neal.

Sworn to and subscribed before me on this the 11th day of July, 1907.

W. F. Esslinger,
Notary Public.

H. 1356. For the relief of John Milford, an ex-confederate soldier, being a resident of Chilton county, Alabama.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Chilton County. }

I, Wallace C. Elder, editor and publisher of The Union, a newspaper published in Chilton county, Alabama, hereby certify that the following notice:

TO WHOM IT MAY CONCERN.

A bill will be introduced to the general term of the Legislature of Alabama in July, 1907, to be entitled an act for the relief of John Milford, an ex-confederate soldier of Chilton county, Alabama.

~~Was published in The Union for four consecutive~~
weeks.

Wallace C. Elder,
Editor and Publisher of The Union.

Sworn to and subscribed before me this July 12, 1907.

Sam N. Collins,
Clerk Circuit Court of Chilton County, Alabama.

H. 1201. To regulate and prescribe the manner of electing county commissioners in the county of Walker, fix their compensation and to provide for holding regular, special and adjourned terms of the court of county commissioners.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that application will be made to the present session of the Legislature of Alabama to enact a law in substance as follows:

A BILL

To be entitled an act to regulate and prescribe the manner of electing county commissioners in the county of Walker, fix their compensation and provide for holding regular, special and adjourned terms of the court of county commissioners.

Be it enacted by the Legislature of Alabama:

Section 1. That at the general election to be held on Tuesday after the first Monday in November, 1908, there shall be elected one commissioner in each commis-

sioners' district in the county of Walker, the commissioners elected at that time in the uneven numbered districts shall hold office for the term of two years and until their successors are elected and qualified; and the commissioners elected at that time in the even numbered districts shall hold office for the term of four years and until their successors are elected and qualified.

Sec. 2. That after said election held under this act elections for county commissioners for said county shall be held bi-annually, on Tuesday after the first Monday in November, and their term of office shall be four years and until their successors are elected and qualified.

Sec. 3. That every qualified voter in said county shall be entitled to vote for one commissioner in each of the districts in which there is to be a commissioner elected at such election.

Sec. 4. That said commissioners' court shall hold regular terms on the first Monday in each month, and such adjourned and special terms as may be necessary; and such terms, regular, adjourned and special, may continue until the business of the court has been completed.

Sec. 5. That the commissioners elected under this act are entitled to four dollars (\$4.00) per day for each day of actual service rendered, and five cents per mile for traveling to and from the sittings of the court.

Sec. 6. That the provisions of this act as to the compensation to be paid the commissioners shall not become effective until the successors of the commissioners now in office are elected and qualified.

Sec. 7. That all laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

1-23-4t

The State of Alabama,)
Walker County.)

Before me, John B. Shields, a notary public in and for said State and county, this day personally appeared J. R. Gunter, who, being by me duly sworn, deposes and says that he is the editor of The Mountain Eagle, a newspaper published in Walker county, Alabama, and that

the foregoing notice was prior to this date and without cost to the State of Alabama, published at length once a week for four consecutive weeks, beginning on the—day of———, 1907, in the said Mountain Eagle, a newspaper which is and was at the time of the publication of said notice published in the county of Walker and State of Alabama. J. R. Gunter.

Subscribed and sworn to before me this 11th day of July, 1907. John B. Shields,

H. 1321. To repeal sections 4, 5, 6 and 8 of an act entitled an act to better provide for working the public roads in the counties of Baldwin, Escambia and Monroe, approved Feb. 9th, 1901, in so far as the same applies to the county of Monroe, and to amend section twelve of said act and further regulate the working of the public roads in Monroe county.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Monroe County. }

Before me, L. J. Bugg, a notary public in and for said State and county, personally appeared Q. Salter, who, being by me first duly sworn, deposes and says, that he is the editor and publisher of the Monroe Journal, a newspaper published in Monroeville, in said State and county, and that the following notice, to-wit:

NOTICE.

Notice is hereby given that a bill will be introduced in the next session of the Legislature of Alabama, the substance of which will be as follows:

1. To repeal section four, five, six and eight of an act of the Legislature of Alabama, approved February 9th, 1901 (Local Acts 1901, page 902) passed for the counties of Baldwin, Escambia and Monroe, in so far as said law applies to Monroe county. The substance of said above named sections being a provision allowing

persons subject to road duty to relieve themselves from such service by paying to the overseers of the roads the sum of one dollar for each day they are summoned to work on said public roads.

2. To amend section 9 of said act so as to allow road commissioners therein provided for the sum of \$3.00 per day, and five cents per mile for each mile traveled while engaged in the discharge of duties as said road commissioners; the compensation provided in said law at the present being \$2.00 per day and three cents per mile for each mile traveled while engaged in the discharge of said duties.

3. To amend section 11 of said act so as to allow said road commissioners 12 days in any three months in the discharge of their duties as said road commissioners, instead of six days as provided in said law.

4. To amend section 12 of said act so as to reduce the fine imposed upon road commissioners and overseers for the failure to perform the duties required of them by said act to a fine of not less than \$10.00 and not more than \$25.00, the fine imposed by said act as it now stands being not less than \$100.00 and not more than \$500.00.

5. To pass a law making all persons from 18 years to 50 years of age, who are not exempt from road duty by the general law, subject to road duty.

6. To pass a law requiring all overseers to work their roads not less than 6 days in each year.

7. To pass a law permitting any road commissioner or apportioner to report any overseer to any justice of the peace in the precinct where said overseer resides, or to the judge of the county court, for the failure to discharge any of the duties imposed by law upon overseers. And to provide that all fines collected from road defaulters, and overseers and apportioners for the failure to perform their duties as such shall be paid to the county treasurer, and used by the court of county commissioners for the improvement of the public roads of the county.

Was published in each issue of said paper, beginning with the issue of June 6th, 1907, and continued to and

contained in the issue of June 20th, 1907, and that said notice has been published for thirty days in said paper.
Q. Salter.

Sworn to and subscribed before me this 15th day of July, 1907.
L. J. Bugg,
Notary Public.

H. 869. To authorize the town of Enterprise, in Coffee county, Alabama, to buy and sell spirituous, vinous and malt liquors, and to regulate the sale thereof.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE OF LEGISLATION.

Notice is hereby given that at the next session of the Legislature of Ala., a bill will be introduced for enactment into a law, which law when passed will be in words and figures, substantially,

"AN ACT, ETC."

A bill to be entitled: An act to authorize the town of Enterprise in Coffee county, Alabama, to buy and sell spirituous, vinous and malt liquors, and to regulate the sale thereof."

Section 1. Be it enacted by the Legislature of Ala., That the town of Enterprise in Coffee county, Ala., shall have authority to conduct and carry on in its corporate name, in its corporate capacity, and in the manner herein provided, the business of buying and selling spirituous, vinous, and malt liquors.

The place at which said business is carried on shall be called a dispensary. Said municipality shall invest in said business a sum of money not less than three hundred dollars and not more than twenty-five hundred dollars. The liquors bought and sold as herein provided, shall be of the purest and best quality.

Section 2. The office of dispenser, for said dispensary, is hereby created who shall be elected within three

months after the approval of this act by board of commissioners hereinafter created. Said dispenser shall be a resident householder and freeholder of said municipality and possess the qualifications of an elector under the general laws. The first dispenser to be elected for said office shall hold said office for a period of one year from the time of his election, and the terms of his successors shall be two years. Each dispenser shall hold office until his successor is elected and qualified.

Section 3. That the affairs and business of said dispensary shall be managed, controlled and conducted by a board of three commissioners, they shall each be resident citizens and householders and freeholders of said municipality, and who shall possess the character and qualifications of electors under the general laws. That W. B. Fleming, W. B. Glen, and Asa Holloway, be and they hereby constitute said board of commissioners; that the term of said W. B. Fleming shall expire on the 1st day of January, 1908; the term of said W. B. Glenn shall expire on the 1st day of January, 1909, and the terms of said Asa Holloway shall expire on the 1st day of January, 1910, and the successors of said commissioners whose terms have so expired shall be elected by the board of mayor and councilmen of said municipality at their last regular meetings of each year, and each of said commissioners to be so elected shall hold office for a term of three years from the commencement of his term.

All vacancies occurring in said board of commissioners shall be filled by an election of the board of mayor and councilmen of said town at their next regular meeting after said vacancy shall occur, and such commissioner so elected shall perform the duties of commissioner for the unexpired portion of the term so filled. Said board of commissioners shall elect from their number at their first meeting in each year, a president, a secretary, and a treasurer for said board of commissioners and shall require good and sufficient bonds from such secretary and treasurer, and cause the said bond to be approved by the mayor and councilmen of the town of Enterprise and each of said commissioners before enter-

ing upon the duties of his office shall take and subscribe an oath that he will faithfully discharge all of the duties imposed upon him by this act.

Section 4. That the money invested by said municipality in said business shall be turned over to said board of commissioners, who shall execute a receipt for the same solely for the purpose of purchasing a stock for said dispensary.

Section 5. That the dispenser elected under the second section of this act shall besides having the qualifications prescribed therein be a man of moral character and sober habits, and he shall have charge and control of said dispensary under the supervisions of said commissioners. Said board may remove said dispenser, and it shall be their duty to do so, for the violation of any laws governing or applying to said dispensary, or any ordinance of said town of Enterprise regulating the same, not inconsistent with this act, or for any neglect of duty, and upon such removal said board shall fill the unexpired portion of his term by the election of another person as dispenser.

Said dispenser shall be required to take and subscribe an oath that he will faithfully and honestly discharge all duties required of him by this act, and he shall also be required to give bond with good and sufficient sureties, to be approved by said commissioners, in such sum as said board may determine, to be not less than one thousand dollars, conditioned to faithfully account for all goods and moneys that may come into his hand as such dispenser, and for the faithful performance of all duties required of him by this act, and by such rules and regulations as the said commissioners may adopt, said dispenser shall receive such salary as said commissioners may fix, not to exceed eight hundred dollars, and his compensation shall not be dependent upon the amount of sales.

Section 6. Said board of commissioners shall at all times keep a stock of spirituous, vinous, or malt liquors, wines, beer, ciders and other intoxicating liquors in such quantities as they may deem proper. They shall be sold only for cash in quantities not to exceed four gallons

and not less than one-half pint, and the dispenser shall turn over all moneys received by him on account of such rules to the secretary and treasurer of said board of commissioners at the end of each day, and take his receipt for the same.

Section 7. That all accounts due by said dispenser for the maintenance and operation of the same shall be paid by the treasurer upon such demand being presented to the secretary and treasurer, and approved by a majority of said commissioners. The purchase of all stock for said dispensary shall be made by said commissioners, a majority of whom shall be required to concur in such purchase. That all purchases shall be made for cash.

Section 8. That said board of commissioners shall make from time to time rules and regulations for the operation of said dispensary not in conflict with the provisions of this and the law of the State of Alabama, and said commissioners and dispenser shall at all times in the management and conduct of said dispensary conform to the laws of the State of Alabama regulating the sale of spirituous, vinous and malt liquors, and said dispenser shall conform to all of the regulations, that said board of commissioners may enact for the control, management and conduct of said dispensary, which are not in conflict with the laws of this State.

Section 9. That no spirituous, vinous or malt liquors shall be drank in the building or on the premises where said dispensary is located.

Section 10. That said dispensary shall not be opened on any day before six o'clock and shall be closed on each day by six o'clock in the evening, and it shall not be opened on Sundays and election days, and on such other days as the commissioners or a majority of them shall direct the same to stand closed.

Secton 11. That the dispenser shall not sell to any person or persons any spirituous, vinous or malt liquors, wines, ciders, beer, or other intoxicating liquors except in sealed packages and the said dispenser shall not keep any broken packages in said dispensary and whenever a package is broken it shall be at once bottled and

sealed and sold by the dispenser in such sealed condition.

Section 12. That said dispenser shall make a monthly report to said board of commissioners showing the exact financial condition of said dispensary, and the said board of commissioners shall at any time when they see proper make an investigation of the correctness of said report and check up the balance of matters pertaining to said dispensary.

Section 13. That the dispenser shall not allow, and it is hereby made unlawful, for any person or persons to loiter in or about said dispensary or on the premises where the same is situated, and for failure enforce this section said dispenser shall be removed from office.

Section 14. That the mayor and town council of the town of Enterprise shall have power and authority to pass all ordinances to carry out the provisions of this act, and to provide suitable penalties for the violations of this act.

Section 15. That the board of commissioners of said dispensary shall appropriate 20 per cent. of the net profit of said dispensary to the public schools of the county of Coffee, said 20 per cent. to be applied to the use and support of these schools embraced in the public school districts outside of those of the towns of Elba, Enterprise and Brockton, and the same shall be applied to said schools in the same proportion as the public school funds derived. Said 20 per cent. shall be paid to the persons entitled to receive the same as provided by law.

That the remainder of said net proceeds of said dispensary shall be paid into the treasury of said town and be and become a part of the general funds of said town of Enterprise.

That said sums shall be so appropriated and paid as aforesaid quarterly or four times a year.

Section 16. That said board of commissioners shall at the end of each quarter, and at the same time when they make said appropriations and pay said money as directed by the preceding section, make and file with the mayor and council of said municipality a full and com-

plete report of all purchases, receipts, expenditures, disbursements, preceding three months, so that a fair account of the business of said dispensary for said time, and the present condition of the business may be shown thereby. Said report shall be published in a newspaper for at least one week upon the filing of the same.

Section 17. That the mayor and council are authorized and empowered to pass ordinances for the enforcement of the provisions of the last preceding section, with penalties for its violation.

Section 18. That the commissioners provided for in this act shall receive each a salary of \$25.00 per annum and the secretary and treasurer shall be paid \$25.00 per annum additional. Said salaries to be paid out of the net proceeds of said dispensary.

Section 19. That on and after the passage of this act the city council of the town of Enterprise and other officers of said town are hereby prohibited from issuing, granting or renewing any license for the sale of spirituous, vinous, or malt liquors within the incorporate limits of said town.

Section 20. That for any breach of either of the bonds to be executed under the provisions of this act suit may be instituted thereon in the name of the town of Enterprise for the use of said town and the persons entitled to receive that portion of the net-proceeds to be used for school purposes, and the recovery therein shall be paid according to the interests of said town and persons therein.

Section 21. That the commissioners or either of them may be impeached by the mayor and council, upon at least five days' notice, with specifications in writing of the charges preferred, for any malfeasance, willful misconduct or neglect of duty, or for the violation of any law or ordinance regulating or pertaining to said dispensary, but the right of appeal shall be had in favor of either of the parties to the circuit court to be taken as provided for appeals from the justice courts in civil cases.

Section 22. That no spirituous, vinous, and malt liquors, wines, ciders, beers or other intoxicating drinks

of any kind shall be sold within the incorporate limits of said town except as herein provided.

Section 23. That all laws and parts of laws in conflict with this act or any part thereof be and the same are hereby repealed.

The State of Alabama, }
County of Coffee.

Before me, T. D. L. Edwards, a notary public in and for said State and county, personally appeared G. W. Carlisle, known to me to be the editor and proprietor of the People's Ledger, a newspaper published at Enterprise, Coffee county, Alabama, who, being by me first duly sworn, doth state on oath, that he is the editor and the publisher of said paper; that the same is and has been published and issued regularly in weekly editions in said county for more than twelve months last past, and that the notice hereto attached, marked "Exhibit A," relating to the establishment of a dispensary at Enterprise, Alabama, was published without cost to the State, for four consecutive weeks in said newspaper and in said county, next before the making of this affidavit.

G. W. Carlisle.

Sworn to and subscribed before me this 18th day of February, 1907.

T. D. L. Edwards,
Notary Public.

H. 1362. To establish a dispensary in and for the town of "Floral" in the county of Covington, State of Alabama, and to provide for the conduct and regulation of the same.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that an application will be made and a bill introduced in the Legislature of the State of Alabama during its present term, for the passage of a law to establish in the corporate limits of the

town of Florala, in the county of Covington, State of Alabama, a dispensary for said town of Florala, where spirituous, vinous or malt liquors are to be sold, to be conducted and carried on by said town in its corporate capacities; for buying and selling spirituous, vinous and malt liquors, in which law provisions will be made for the selection, appointment and employment of a dispenser, commissioners and other officers and agents to operate, conduct and carry on the business of said dispensary, for the town of Florala, Alabama, and also for the management, regulation and operation of said dispensary, and for the disposition of the revenue derived from the operation of said dispensary.

The State of Alabama, }
Covington County. }

Before me, S. T. Spradley, a notary public in and for said State and county, this day personally appeared W. C. McLauchlin, who, being duly and legally sworn, deposes and says: That he is the editor and proprietor of The Florala News, a newspaper published weekly at Florala, in Covington county, Alabama, and that the above and foregoing notice has been published once a week for four (4) consecutive weeks in said newspaper, beginning with the issue of June 6th, 1907.

W. C. McLauchlin.

Sworn to and subscribed before me this the 6th day of July, 1907.

S. T. Spradley,
Notary Public.

My commission expires Sept. 29th, 1908.

H. 625. To provide for and regulate the working of the public roads in Tallapoosa county, Alabama, and to punish defaulters who fail or refuse to work said roads.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that I will introduce in the next Legislature of Alabama a bill to be entitled an act

to provide for the change, location, working and improvement of the public roads in Tallapoosa county, and to authorize and require the probate judge and county commissioners to procure the services of a learned and practical engineer to locate said roads and to purchase and provide modern improved implements and machinery with which to work and improve said public roads, ~~and to provide means by which to pay the expenses of purchasing said machinery, the location, working and improvement of said public roads.~~ T. L. Bulger.

The State of Alabama, }
Tallapoosa County. }

Before me, G. J. Sorrell, probate judge in and for said State and county, personally appeared P. A. Jackson, who, being by me first duly sworn, says on oath that he is the proprietor, editor and manager of The Tallapoosa Courier, a weekly newspaper published at Dadeville, Tallapoosa county, Alabama; that the foregoing and hereto attached notice was published in the said Tallapoosa Courier for four consecutive weeks, commencing with the issue of said paper of the date of December 14th, 1906, and appearing in said paper on December 20th, December 27th, 1907, and January 3rd, 1907, and January 10th, 1907, and January 17, 1907, inclusive, and that said notice is attached, referred to and made a part of this affidavit. P. A. Jackson.

Subscribed and sworn to before me this the 19th day of January, 1907.

G. J. Sorrell,
Probate Judge, Tallapoosa Co.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE:

The House bills in the foregoing House message were severally read once and referred to appropriate standing committees as follows:

H. 1271, 1201, 1201, to Judiciary.

H. 949, to Education.

- H. 1238, 854, 896, 1362, to Temperance.
 H. 1222, 1321, 625, to Local Legislation.
 H. 1356, to Finance and Taxation.

REPORT FROM THE COMMITTEE ON RULES.

Mr. Gardner, from the committee on Rules, reported favorably Senate resolution No. 85, with the following amendment:

"By adding in Sec. 2 the following, beginning after the last word in section 2: and roll call to be repeated when completed for call of local bills."

Which report with amendment was adopted.

Also Senate resolution 84 adversely.

TAKEN FROM ADVERSE CALENDAR.

Upon the motion of Mr. Overton, the bill:

H. 929. To alter or rearrange the boundary lines of Birmingham, Alabama.

Was taken from adverse calendar, read a second time and ordered placed on the calendar.

Yeas, 17; nays, 16.

Yeas:

Messrs:

Blackmon	Horton	McWhorter	Reynolds
Doster	Leith	Overton	Strother
Gardner	Lusk	Reese	White
Glenn	Merritt	Reid	Wilson
Hayes			

—17.

Nays:

Messrs:

Barbour	Gunn	King	Strother
Bayles	Hamner	Lowe	Teasley
Davis	Hinson	Miller	Thomas
Forrester	Jones	Moody	Wimberly

—16.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bills, and ordered same sent to the Senate without engrossment:

H. 1028. To repeal section 22 of an act to further amend the revenue laws of the State of Alabama, approved March 7th, 1907.

H. 1359. To provide for refurnishing and in keeping in repair the State capitol and the several offices therein, and to provide for the improvement and keeping in order the State capitol grounds.

And sends same herewith to the Senate.

And has passed the following Senate bill:

S. 541. To appropriate the sum of fifty thousand dollars to defray the expenses incurred in connection with the railroad rate litigation now pending, or which may hereafter be instituted between the various railroads of Alabama and the railroad commission.

And returns same herewith to the Senate.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

The House bills in the foregoing House message were severally read once and referred to appropriate standing committees, as follows:

H. 1028, 1359, to Finance and Taxation.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended, as shown, and as amended has concurred in the Senate joint resolution No. 86, relative to the Legislature adjourning from Friday, the 26th inst., until Monday, the 29th inst.

And has adopted the following joint resolution:

"H. J. R. 306. Resolved by the Legislature, That the governor be, and he is requested to return to the House H. B. 935, same being an act entitled an act to amend

section 22 of an act, entitled an act to establish the city court of Bessemer," for the correction of an error made in the enrollment of the bill.

And sends same to the Senate.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

The Senate concurred in House joint resolution No. 306, relative to the return to the House of House bill 935. Also in the House amendment to Senate joint resolution No. 86, relative to legislative adjournment on Friday, the 26th inst, to Monday, July 29th.

BILLS ON THIRD READING.

The bill:

H. 1077. To allow all foreign corporations liable to an annual franchise tax to deduct from their actual capital employed, or to be employed, in this State that part of such capital consisting of money loaned secured by recorded mortgages on real estate situated in this State.

Was taken up.

The following amendment offered by the committete, to-wit:

To fix the basis for the ascertainment of the annual franchise tax on foreign corporations.

Section 1. Be it enacted by the Legislature of Alabama, That in ascertaining the amount of the annual franchise tax which shall be paid by any foreign corporation doing business in this State, as required by an act "entitled an act to provide for the revenue of the State, by requiring all foreign corporations authorized to do business in this State under the laws of the State of Alabama, to pay an annual franchise tax," approved March 7th, 1907, there shall be deducted from the amount of capital employed by such corporation in this State aggregate amount of loans of money made by such

corporations in this State and which shall be secured by existing mortgage or mortgages to it on real estate in this State and upon which mortgages there shall have been paid the recording privilege tax, provided by law.

Was adopted.

Yeas, 30; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Low	Spragins
Bayles	Hayes	Lusk	Strother
Davis	Heacock	Miller	Teasley
Doster	Hinson	Moody	Thomas
Forrester	Horton	McWhorter	White
Gardner	Jones	Overton	Wilson
Glenn	King	Reese	Wimberly
Gunn	Leith		

—30.

And the bill, as thus amended, was read a third time, at length, and passed.

Yeas, 30; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Leith	Reese
Bayles	Hamner	Low	Reynolds
Blackmon	Hayes	Lusk	Spragins
Davis	Heacock	Merritt	Teasley
Doster	Hinson	Miller	White
Forrester	Horton	Moody	Wilson
Gardner	Jones	McWhorter	Wimberly
Glenn	King		

—30.

The bill:

S. 347. To establish and maintain a State sanatorium for consumption and tuberculosis, and to provide for disseminating information upon the nature, treatment and cure of tubercular diseases, and to make appropriation therefor.

Was taken up.

The following amendment offered by the committee, to-wit:

Amend section 2 by striking out all of said section after the words "of the same" in line 7 and inserting in lieu thereof the following: The governor shall appoint the other five members, 3 of whom shall be practicing physicians and members in good standing of the medical association of Alabama, who shall serve respectively until the first Mondays in May, 1908, 1909, 1910, 1911, and 1912, until their successors are elected or appointed, as herein provided. The successors of those members whose terms expire in 1908, 1909, 1910, shall be elected by the said Medical Association of Alabama and the necessary successors of those whose terms expire in 1911 and 1912 shall be appointed by the governor, and each of said five members shall serve for a term of five years and until his successor is elected or appointed; and the successor of each of said members shall thereafter be elected or appointed for a term of five years and until his successor is elected or appointed as hereinbefore provided; vacancies from any cause shall be filled for the unexpired terms by appointment by the governor of members appointed by him and by the Medical Association of Alabama in the officers elected by it.

Amend section 5 by striking therefrom the words "near a railroad station."

Amend by striking out the section numbered 6 on page 2 of the bill.

Amend section 11, line 5, by inserting after the word "such" and before the word "inmates" the word indigent. Also, amend section 11, line 7, by adding after the word "county" the words, and it shall be the duty of the probate judge of such county to make or approve the application for the admission of such persons.

Further amend section 11 by striking out the last eight lines thereof, beginning with the words "the trustees may" and ending with the words "board of trustees."

Amend section 13, line 3, by striking out the words "in the event the State does not own suitable lands."

Amend section 16, line 1, by inserting after the word "patients" and before the word "treated" the words, not otherwise paid for as herein provided.

Was adopted.

Yeas, 33; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Lusk	Reynolds
Bayles	Heacock	Merritt	Spragins
Blackmon	Hinson	Miller	Strother
Davis	Horton	Moody	Teasley
Doster	Jones	McWhorter	Thomas
Forrester	King	Overton	White
Gardner	Leith	Reese	Wilson
Glenn	Lowe	Reid	Wimberly
Gunn			

—33.

And the bill, as thus amended, was read a third time, at length, and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Lusk	Reynolds
Blackmon	Heacock	Merritt	Spragins
Davis	Hinson	Miller	Strother
Doster	Horton	Moody	Teasley
Forrester	Jones	McWhorter	Thomas
Gardner	King	Overton	White
Glenn	Leith	Reese	Wilson
Gunn	Lowe	Reid	Wimberly
Hamner			

—33.

And ordered same sent forthwith to House without engrossment.

The bill:

H. 1129. To encourage the development of the various unused water powers in this State, by exemption from taxation for a period of ten years.

Was read a third time, at length, and passed.

Yeas, 24; nays, 3.

Yeas:

Messrs:

Barbour	Glenn	Horton	Reese
Bayles	Gunn	Jones	Reid
Blackmon	Hamner	King	Teasley
Davis	Hayes	Leith	White
Doster	Heacock	Miller	Wilson
Forrester	Hinson	McWhorter	Wimberly

—24.

Nays:

Messrs:

Merritt	Strother	Teasley
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—3.

The bill:

H. 1130. To encourage the manufacture of calcium cyanamid (lime nitrogen) in this State, by exemptions from taxation for a period of ten years.

Was read a third time, at length, and passed.

Yeas, 24; nays, 4.

Yeas:

Messrs:

Barbour	Gunn	King	Reid
Bayles	Hamner	Leith	Reynolds
Davis	Hayes	Miller	Teasley
Doster	Heacock	McWhorter	White
Forrester	Horton	Overton	Wilson
Glenn	Jones	Reese	Wimberly.

—24.

Nays:

Messrs:

Lusk	Merritt	Strother	Thomas
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—4.

The bill:

S. 324. To provide for the establishment of high schools in this State and to make appropriations for the maintenance thereof and to provide for the operation of said schools.

Was taken up.

On motion of Mr. Reynolds, said bill was indefinitely postponed.

The bill:

S. 487. To authorize incorporated cities and towns in this State which have within their corporate limits ancient, private or family cemeteries or burial grounds to contract for their care and maintenance.

Was read a third time, at length, and passed.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Lusk	Reynolds
Bayles	Heacock	Miller	Spragins
Doster	Hinson	Moody	Strother
Forrester	Horton	McWhorter	Teasley
Gardner	Jones	Overton	White
Glenn	King	Reese	Wilson
Gunn	Leith	Reid	Wimberly
Hamner			

—29.

And was ordered sent forthwith to the House without engrossment.

The bill:

S. 481. To provide for the contingent expenses of the attorney general.

Was read a third time, at length, and passed.

Yeas, 19; nays, 8.

Yeas:

Messrs:

Bayles	Gunn	Miller	Reynolds
Blackmon	Hayes	Moody	Teasley
Forrester	Hinson	McWhorter	White
Gardner	Horton	Overton	Wimberly
Glenn	Leith	Reid	

—19.

Nays:

Messrs:

Barbour	Hamner	Lusk	Spragins
Doster	Jones	Reid	Wilson

—8.

The bill:

S. 538. To prohibit the having of pay days and the running of pay trains in the State of Alabama and to provide a punishment therefor.

Was read a third time, at length, and passed.

Yeas, 21; nays, 1.

Yeas:

Messrs:

Barbour	Hayes	Merritt	Reynolds
Bayles	Jones	Miller	Spragins
Davis	King	McWhorter	Teasley
Gardner	Leith	Reese	Wilson
Glenn	Lusk	Reid	Wimberly.
Gunn			

—21.

Nays: Mr. Hinson—1.

The bill:

S. 513. To amend an act to provide for the inspection of jails and alms houses and cotton mills of factories, approved March 4, 1907, by adding section 12, to provide for a clerk to the inspector and for office expenses of the inspector.

Was taken up.

The following amendment offered by the committee, to-wit:

Amend said bill by striking out the words "eighteen hundred" wherever same occur in said bill, and inserting in lieu thereof the words "twelve hundred."

Was adopted.

Yeas, 15; nays, 5.

Yeas:

Messrs:

Bayles	Hayes	Moody	Reid
Glenn	Jones	McWhorter	Reynolds
Gunn	Lusk	Overton	Teasley
Hamner	Miller	Reese	Wimberly

—15.

Nays:

Messrs:

Hinson	Leith	Spragins	Wilson
King			

—5.

Pending further consideration of said bill, the hour of 1 o'clock having arrived the Senate took a

RECESS

Until 3:30 o'clock this afternoon.

AFTERNOON SESSION.

July 26th, 1907.

The Senate reassembled pursuant to adjournment.
A quorum was present.

RESOLUTIONS.

Resolutions were offered as follows:

By Mr. _____:

Resolved, that House bill 1008 be made a special order for Monday, July 29, 1907, same being at 11' a. m.

By Mr. Barbour:

Resolved by the Senate, that House bill No. 113 be set for a special and paramount order for 10 o'clock a. m. on the next legislative day, Monday, the 29th day of July, 1907.

By Mr. Gunn:

Resolved, that Senate bill No. 615 be set down for a special immediately after completing the call of roll for local bills in afternoon of July 26.

By Mr. Blackmon:

Resolved, that Senate bill 430 be made a special, paramount, continuing order at 12:30 o'clock, and House bill 273 at 11:30 o'clock, and Senate bill No. 323 at 11 o'clock, and Senate bill 215 at 10:30 o'clock on the next legislative day, July 26, 1907.

Which were severally read and referred to the committee on Rules.

NOTICE.

Notice is hereby given that on the next succeeding legislative day I will move to take from the adverse calendar House bill No. 229.

Norman Gunn.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in the Senate amendment to H. B. 1077, To allow all foreign corporations liable to an annual franchise tax to deduct from their actual capital employed, or to be employed, in this State that part of such capital consisting of money loaned secured by recorded mortgages on real estate situated in this State.

Cyrus B. Brown,
Clerk.

NOTICE.

I give notice that on the next legislative day I will move to reconsider the vote by which Senate bill 538 was passed.

July 26th, 1907.

Robt. E. Spragins.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in the report of the committee of conference on the disagreement of the two Houses on House amendment to S. B. 509, and sends same herewith to the Senate.

To the Senate and House of Representatives:

Your committee of conference on amendments to S. B. 509, beg leave to report and recommend that the House of Representatives recede from the amendment offered to section 2, and in lieu thereof insert the words "and qualified", in line 3, section 2, after the word "elective", and after the word "act" in said line insert the words "and before the first day of January, 1908." And that the House of Representatives recede from the

amendment offered to section 17, and substitute therefor the following: "But there shall be no recorder in towns," to be added at the end of the section.

We recommend that the House of Representatives recede from the amendment known as section 201 of said bill, and in lieu thereof insert the following:

Section 201. That no mayor or alderman of any municipality shall accept employment after his election, and during his term of office, from any public service company or corporation operating under any franchise granted by the municipality, and any person accepting such employment, after his election, thereby vacates his office.

We, the said committee, recommend that the other amendments be concurred in.

Gaston Gunter,
J. N. Cranford,
C. M. Sherrod,

Committee on part of the House.

James W. Strother,
W. T. Lowe,
Norman Gunn,

Committee on part of the Senate.

Cyrus B. Brown,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has adopted the following House joint resolution:

H. J. R. 315. Resolved by the Legislature of Alabama, That the Secretary of State is hereby authorized and empowered to distribute to every member of the constitutional convention of 1901 one set of the sale edition of the Code of 1907.

And sends same herewith to the Senate.

HOUSE MESSAGE.

The House joint resolution in the foregoing House message was read once and referred to appropriate standing committee as follows:

H. J. R. 315, to Rules.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following Senate bills:

S. 401. For the relief of J. L. Smith, an ex-confederate soldier, being a resident of Randolph county, Alabama.

S. 397. To fix the boundary line between the counties of Randolph and Cleburne and to define the same.

S. 523. To create and establish a commission to be known as "Selma Water Works Commission", to prescribe their qualifications, mode of election, powers and compensation, terms of office, and to fix a maximum rate to be charged for water in Selma, Alabama.

S. 411. To divide the county of Lowndes into five districts and to provide for the election of a member of the board of revenue from each district.

S. 412. To provide for the compensation of the deputy solicitor of Lowndes county.

S. 190. To make the judge of the city court of Montgomery and the associate judge of the city court of Montgomery elective by the people.

S. 260. To detach the county of Winston from the Northwestern chancery division of Alabama; to confer equity jurisdiction on the circuit court of said county; to provide for the appointment of a register for the equity side of said circuit court.

S. 458. To create the office of court stenographer for Dallas county; to provide for his appointment and compensation; to prescribe his powers and duties; and to provide for the taxing and collecting and disposal of stenographer's fees in the courts of record of Dallas county.

And returns the same herewith to the Senate.

Cyrus B. Brown,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker of the House having signed the following House bills, your signature thereto is requested:

H. 1205. An act to amend section 3915 of the Code as amended by an act entitled an act to better provide for the revenue of the State, approved March 4, 1903.

H. 940. To provide for the publication and distribution of the Code of Alabama and the acts of the Legislature.

H. 1211. To amend an act entitled an act to further amend the revenue laws of the State of Alabama.

H. 1189. To amend section 8 of an act entitled an act to further amend the revenue laws of the State of Alabama, approved March 7, 1907.

H. 1154. To amend section 9 of an act, entitled an act to further amend the revenue laws of the State of Alabama, approved March 7, 1907.

H. 927. To further provide for the further construction, maintenance and repair of public roads in Jackson county.

Cyrus B. Brown,
Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read at length by the secretary, signed the above House bills, the titles of which are set out in the foregoing message from the House, the reading at length of said bills having been dispensed with by a two-thirds vote of a quorum of the Senate present.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following House joint resolution:

H. J. R. 311. Resolved by the House, the Senate concurring, that the Speaker of the House and the Presi-

dent of the Senate be and they are hereby requested in the presence of the House and Senate respectively to erase their respective signatures from House bill 935, entitled "An act to amend section 22 of an act entitled an act to establish the city court of Bessemer," to the end that said bill may be correctly enrolled.

And sends same herewith to the Senate.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

The Senate concurred in House joint resolution No. 311, relative to the erasure of the signatures of the presiding officers of the two Houses to House bill No. 935, the title to which is set out in the above and foregoing message from the House.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed and ordered sent forthwith to the Senate, without engrossment the following bills:

H. 714. To make it unlawful to practice as an attorney at law without having obtained a license therefor.

H. 609. To amend sections 6 and 19 of an act entitled an act to amend an act entitled an act to establish a uniform system for the examination and licensing of teachers of public schools, approved February 8th, 1901.

H. 1303. To amend sub-division of section 1377 of the civil Code, relating to compensation of sheriffs for ex-officio services.

H. 1339. To exempt from taxation all property of any person, firm or corporation who has heretofore patented and owns exclusively, or has heretofore secured and owns exclusively, or who shall hereafter patent and own exclusively, or shall hereafter secure and own exclusively the patent right, on any article designed for the purpose of protecting human life and property, and which has not heretofore been manufactured for sale

except such property as is devoted exclusively to the manufacture of such article, and to exempt from taxation the stock held by stockholders of such corporation.

H. 1209. To give to certified transcripts of validly executed instruments not properly acknowledged or proved, but that have been of record for twenty years, the same force and effect as transcripts of like instruments duly acknowledged and recorded.

H. 1323. To appropriate fifteen hundred dollars for the purpose of furnishing and equipping the office of mine inspectors of this State with necessary and suitable furniture, apparatus, machines and all other necessary instruments.

And sends same herewith to the Senate.

Cyrus B. Brown,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bill:

H. 1085. To amend an act to establish a State live-stock sanitary board and the office of State veterinarian in order to further protect livestock from contagious and infectious diseases and provide for eradicating and excluding such diseases from Alabama, approved March 12th, 1907.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

The House bills in the foregoing House message were severally read once and referred to appropriate standing committees, as follows:

H. 714, to Judiciary.

H. 609, to Education.

H. 1303, 1339, 1323, to Finance and Taxation.

H. 1209, to Local Legislation.

H. 1085, to Revision of Laws.

REPORT FROM THE COMMITTEE ON ENROLLED BILLS.

Mr. President:

The committee on Enrolled Bills report that they have examined the following Senate bills:

S. 190. To make the judge of the city court of Montgomery and the associate judge of the city court of Montgomery, elective by the people.

S. 260. To detach the county of Winston from the Northwestern chancery division of Alabama; to confer equity jurisdiction on the circuit court of said county; to provide for the appointment of a register for the equity side of said circuit court.

S. 397. To fix the boundary line between the counties of Randolph and Cleburne and to define the same.

S. 401. For the relief of J. L. Smith, an ex-confederate soldier, being a resident of Randolph county, Alabama. Whereas, J. L. Smith has long been on the pension rolls of Randolph county, Alabama, but for the year 1906 his name was dropped from said rolls through mistake.

S. 411. To divide the county of Lowndes into five districts and to provide for the election of a member of the board of revenue from each district.

S. 412. To provide for the compensation of the deputy solicitor of Lowndes county.

S. 458. To create the office of court stenographer for Dallas county; to provide for his appointment and compensation; to prescribe his powers and duties; and to provide for the taxing and collection and disposal of stenographer's fees in the courts of record in Dallas county.

S. 523. To create and establish a commission to be known as "Selma Water Works Commission," to prescribe their qualifications, mode of election, duties, powers and compensation, terms of office, and to fix a maximum rate to be charged for water in Selma, Alabama.

S. 344. To further regulate the opening, closing and operating saloons and giving away or selling spirituous,

vinous or malt liquors under a license from the State, and to punish violations thereof.

And find same correctly enrolled.

Frank S. Moody,
Chairman.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read at length by the secretary, signed the above Senate bills, the titles of which are set out in the foregoing report from the committee on Enrolled Bills, the reading at length of said bills having been dispensed with by a two-thirds vote of a quorum of the Senate present.

MESSAGE FROM THE HOUSE.

Mr. President:

In accordance with a joint resolution heretofore adopted, the Speaker of the House has erased his signature from the bill H. 935, and you are requested to erase your signature from the said bill.

ERASURE OF SIGNATURE.

In accordance with a House joint resolution heretofore concurred in, the President of the Senate, in the presence of the Senate, immediately after its title had been read by the secretary, erased his signature to House bill 935.

REPORT OF THE COMMITTEE ON RULES.

Mr. Gardner, from the committee on Rules, reported favorably, the following resolution, to-wit:

S. J. R. 82. Whereas, the effect of the present bankruptcy laws of the United States, by reason of the enforcement thereof, the interpretation put upon them and their execution in this State, work hardships upon the commerce of Alabama, tend to create uneasiness in bus-

iness circles, and prove a loop-hole for those who so desire to escape the payment of their just obligations,

Now, therefore, be it resolved by the Senate, the House concurring, that we do hereby petition our Representatives in the Congress of the United States to aid in the effort to have the said bankruptcy statutes repealed.

Which report was adopted.

INDEFINITE POSTPONEMENT OF BILL.

On motion of Mr. Leith:

H. 874. To provide for and regulate the compensation to be paid teachers in the public schools of Walker county, Alabama.

Was indefinitely postponed.

BILLS ON THIRD READING.

The bill:

H. 542. To provide for the construction, repairing, working and maintaining the public roads and bridges in Madison county.

Was taken up.

The committee offered the following amendment, to-wit:

Substitute for Senate Bill 542:

A BILL

To be entitled an act to provide for the construction, repairing and maintenance of the public roads and bridges of Madison county.

Be it enacted by the Legislature of Alabama:

Section 1. The probate judge of Madison county shall, as soon as practicable after the approval of this act, and every two years thereafter, except as hereinafter provided, appoint a supervisor of public roads for said county, whose term of office shall be two years; provided, however, that the supervisor first appointed after the approval of this act, shall hold office until the

first day of October, 1909, at which time his successor shall be appointed for a term of two years, and every two years thereafter a supervisor shall be appointed. Such supervisor shall be a competent graduate civil engineer with experience in road building and shall be subject to removal by said judge for drunkenness, incompetency, neglect of duty, or for any cause to be determined by said judge. Such supervisor may make the bond required of him in section 2 of this act, in a solvent guaranty company to be approved by such judge.

Section 2. That such supervisor shall before entering upon the duties of his office, qualify by taking and filing the statutory oath of office and giving bond conditioned for the faithful performance of the duties of such office, payable to Madison county, in such sum as may be prescribed by said court, not less than one thousand dollars, with sureties thereon to be approved by the probate judge of said county, which oath and bond shall be recorded as other official bonds required to be recorded, in the office of the judge of probate.

Section 3. That the supervisor of public roads shall receive a salary for each year's service of not less than eighteen hundred dollars nor more than twenty-four hundred dollars, to be determined within said limit by the commissioners' court and to be paid to him in monthly installments, at the end of each month, by warrant to be drawn by the judge of probate on the road fund of the county.

Section 4. That the supervisor shall have control and supervision of all public roads of said county as to the manner of working, repairing and maintaining the same, as to changes of old roads and establishing of new roads when ordered established by the commissioners' court, and of the execution of any contract that may be made for the working and repairing roads, or of repairing and building bridges, culverts, or cause-ways; provided, that at all times the said supervisor shall be under the direction and control of the commissioners' court of said county.

Section 5. That the supervisor shall have authority, and it shall be his duty, immediately after entering on

the duties of his office, to appoint a competent person in each precinct of the county as enumerator of road hands for such precinct, for a term of two years, which said enumerator shall make oath in writing that he will faithfully discharge the duties of said office, which said oath may be administered by said supervisor, and when so taken shall be filed in the office of the judge of probate of said county, and there preserved for public examination.

Section 6. That as soon as the enumerator and list of road hands hereinafter provided for shall have been made and filed in the office of the judge of probate, it shall be the duty of such enumerator, by and with the advice and under the supervision of the supervisor, to divide the public roads of each precinct into sections of such length, as he may determine, numbering consecutively the said sections, and he shall then appoint such overseers as he may deem necessary, for a term of two years, for the efficient and proper working and maintenance of the roads in such precinct, and assign such section or sections to each overseer as he may determine, and to each overseer he shall apportion such road hands for each section as to the amount and character of work to be done on such section as may, in his judgment, be necessary, and he shall deliver a list of such road hands to such overseer and keep a duplicate list for filing in the office of said supervisor, and to there be for ready reference.

Section 7. That it shall be the duty of said supervisor to cause each overseer to take and subscribe in writing an oath that he will faithfully perform the duties of overseer, which oath may be administered by said supervisor or enumerator and shall be filed in the office of the judge of probate. To each overseer so appointed the said supervisor shall deliver a commission setting forth the section or sections over which he has been appointed, together with the grade of the road or roads of each section; provided, that when a vacancy occurs in the office of the overseer, from whatsoever cause, the same shall be filled by said supervisor, and provided further, that said enumerator, by and with the

advice and consent of the supervisor, may at any time, remove an overseer for neglect, failure or refusal to perform his duties or for drunkenness while discharging the duties of his office.

Section 8. That said supervisor shall personally inspect all the public roads in the county at least once each year, and in making such inspection, when practicable, shall be accompanied by the overseer of the section, and he shall make such suggestions and give such directions as to changing road beds, establishing, repairing, improving and working the public roads and in building, repairing and maintaining bridges and culverts as he may deem proper. He shall make full reports of the condition of the public roads, and the manner in which any contracts have been or are being executed to the court of county commissioners at the February, May, August and November terms of said court in each year, and such special reports as said court may call for at other times.

Section 9. That the enumerator hereinbefore provided for shall, immediately after the first day of January of each year, make a thorough and complete canvass of his precinct, taking down the names and ages of all male inhabitants of the precinct over twenty-one and under forty-five years of age, residing in said precinct and entering opposite each name so enrolled the name or location of the farm on which he resides, or the location of the house in which he dwells and the name of the public road nearest to his dwelling place. The said enrollment book shall be written in a plain, legible manner, with ink, and upon the completion of the enrollment be at once filed in the office of the probate judge, or delivered to the supervisor.

Section 10. That said enumerator shall have authority to administer oaths and in making his enrollment of road hands, or at any time when it may be necessary to list persons for road service, if the person proposed to be listed shall claim to be over forty-five or under twenty-one years of age, the said enumerator may take the affidavit of such person or any person so proposed to be listed, which affidavit shall be in writing and sub-

scribed by the affiant and the same shall be preserved and filed by such enumerator in the office of the probate judge, except in cases where he has cause to believe that perjury has been committed when he shall return such affidavit to the next grand jury; provided, that in listing persons for road duty no person who shall have a certificate of exemption from the county medical board, shall be listed for the road service then ordered, unless such disability be permanent and so stated in the certificate.

Section 11. That the enumerator herein provided for shall be exempt from further road service during the years he so serves, and shall receive the sum of ten dollars per year during the time he serves; provided, that such enumerator shall hold office at the will of the supervisor, and may be removed by him at any time for neglect of or failure to perform his duties, or for partiality or favoritism shown therein, and upon removal shall be subject to enrollment as a road hand.

Section 12. That on the appointment of overseers the enumerator is not restricted to persons who are subject to road duty under this act, and it shall be the duty of each overseer to make quarterly reports to the supervisor of any and all moneys received by him from hands in commutation of labor, the name of the person from whom received, and when and for what paid, and shall pay over the same to the supervisor, taking his receipt therefor, and said supervisor shall pay the same to the county treasurer to be credited by him on the books of the road fund of the county; and it shall be the duty of the commissioners' court as far as practicable, to appropriate an amount at least equal to such funds for the working or maintenance of the respective roads to which the hands paying the same were apportioned.

Any overseer appropriating for his own use any money paid to him in commutation of labor shall be guilty of embezzlement and shall be liable to criminal prosecution therefor as provided by law in such cases.

Section 13. That all persons subject to road duty under the general laws of the State shall be required to

work upon the public dirt roads of said county for not less than six days in each year, or instead thereof, shall pay the sum of three dollars annually, or may pay a part in money and a part in labor at fifty cents per day, to be collected as hereinafter provided.

Section 14. That whenever an overseer shall determine that a dirt road needs repairing or working, or when the supervisor shall so direct, he shall call out such hands as have been listed to him as he may deem sufficient in number to work or repair said road, but may take instead thereof fifty cents per day for each day's work for which each hand is called at the option of the hand, and if any hand shall fail or refuse to work or pay fifty cents for each day he shall fail or refuse to work, it shall be the duty of the overseer, after five days from the warnings to work was given, to return each and every hand so failing or refusing, to a justice of the peace of the county, and such road hand shall be proceeded against as a road defaulter under the general laws of the State; provided, that the overseer may excuse defaulters on showing good excuse on oath, which may be administered by the overseer, within five days after default. Any person making a false affidavit to the overseer to get excused shall be guilty of perjury.

Section 15. That a day's work for road hands under this act shall be ten hours of actual service and the warning of hands shall be made in accordance with the general laws of the State, but no farm hand or person engaged in farming shall be worked except between January first and March first, and July fifteenth and September first, except in opening new roads as now provided by law or, for the removal of an obstruction or other casualty or great need that prevents travel. No hand shall be required to go more than six miles from his residence in working the public roads.

Section 16. That when a road hand listed to an overseer, who has performed part of his road service, removes from a precinct, it shall be the duty of the overseer to furnish him on demand a written certificate showing the time he has served during the calendar year, which certificate shall be an exemption to such

hand to the extent of the time worked from road service in any other precinct in the county to which he may remove.

Section 17. The supervisor shall let all repairing, keeping in order, building or constructing of all macadamized and graveled roads, and public bridges, except emergency repairs or less than twenty-five dollars in value, at public outcry to the lowest responsible bidder upon such notice and at such place within the county as the commissioner's court may prescribe. All work shall be done in accordance with full and accurate specifications to be furnished by the supervisor. Each contractor shall give bond to be approved by the judge of probate, for the faithful performance of his contract equal to the amount he is to receive for the work undertaken by him. When such work is finished it shall be examined by the supervisor and if approved by him he shall give to the contractor an order on the commissioners' court for the amount of his contract, which shall be paid by warrant drawn by the probate judge on the road fund of the county. The supervisor shall have the right, if he thinks the bids for work on such roads too high, to reject any and all bids made. In this event he shall re-advertise for bids for such work, and if in his judgment all bids are still too high, he shall have the right to reject them, and the commissioners' court shall then order such work to be done by said supervisor. A careful account of the cost of such work so done by the supervisor shall be kept and filed with the probate judge and shall be open to the inspection of the public.

Section 18. Whenever a new pike or gravel road is built, a dirt road of equal dimensions and flush therewith shall also be constructed, if practicable.

Section 19. Persons hauling logs, lumber or timber over the roads of the county to sell, or for another, for hire, and not for their own use or the improvement of their farms, and persons regularly engaged in the business of hauling over the roads of the county or whose principal business is hauling over the roads of the county, shall pay a license of two and one-half dollars per month for each two-horse wagon and five dollars per

month for each four-horse wagon so used in such hauling. It is not intended hereby to require a license for private hauling connected with or usual to the ordinary operation of a farm. Such license to be issued by the judge of probate, the proceeds to be paid into the road fund of the county. For issuing each license the judge shall be entitled to a fee of twenty-five cents to be paid by the party procuring the license.

It shall be unlawful to do the hauling herein forbidden without first procuring such license.

Any person violating the provisions of this section shall be guilty of a misdemeanor, and on conviction, fined not less than ten nor more than fifty dollars, to be paid in lawful money, which fine when collected shall be paid over to the road supervisor as part of the road fund.

Section 20. That the overseer of the roads appointed under this act shall be exempt from road duty, immediately after he shall serve as overseer, for the same time that he may serve as such overseer.

Section 21. That all male inhabitants of the county between the ages of twenty-one and sixty-five years of age are subject to road duty under this act as enumerators or overseers.

Section 22. That whenever it can be done, it is the duty of the supervisor to have the roads worked by the overseers at such time as the implements bought and furnished by the county may be used first by one overseer and then by another, so that such implements may be used by all the overseers as much as possible.

Section 23. That any overseer or enumerator who fails to perform his duty as such under the provisions of this act, shall be liable to prosecution, and fined on conviction not less than ten dollars nor more than fifty dollars.

Section 24. That the supervisor of roads shall be under the control and direction of the commissioners' court of the county, who shall require him to devote his entire time to the public roads and bridges of the county, and he shall be furnished with all necessary stationery and blanks for the use of his office, and that he shall

keep such books and accounts, lists of overseers, enumerators and road hands as to show all transactions pertaining to the establishing, repairing and maintenance of the public roads and bridges and shall be provided with a desk in the court house in which to keep his books and other papers pertaining to his office.

Section 25. It shall be the duty of every person, firm or corporation employing hands, to furnish the supervisor, upon his application, a list of hands in their employ between the ages of twenty-one and forty-five, and failing so to do, such person, firm or corporation shall be guilty of a misdemeanor, and on conviction fined not less than ten nor more than fifty dollars.

Section 26. That it shall be the duty of the court of county commissioners of Madison county to have this act printed for the use of said court and other courts of the county and for the officers herein named.

Section 27. That the court of county commissioners shall have full power and authority to make and establish such rules and regulations not in conflict with this act, as it may deem necessary for the proper establishing, working, maintaining and repairing the public roads, bridges and culverts of said county and for requiring all persons charged with any duty, power or liability under this act, a rigid performance thereof.

Justices of the peace shall have jurisdiction of the offenses herein created for violations of the provisions of this act, except felonies.

Section 28. The present macadamized and graveled roads of the county shall be first put in condition, that they may be saved and kept, before any new ones are built.

Section 29. This act shall take effect October 1, 1907, and all laws and parts of laws in conflict with any of its provisions are repealed.

Which was adopted.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Blackmon	Forrester	Glenn
Bayles	Doster	Gardner	Gunn

Hamner	King	McWhorter	Spragins
Hayes	Lusk	Overton	Teasley
Heacock	Merritt	Reid	Thomas
Horton	Miller	Reynolds	Wilson
Jones	Moody		

—26.

And the bill, as thus amended, was read a third time, at length, and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 28; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	King	Overton
Bayles	Hamner	Leith	Reid
Davis	Hayes	Lusk	Reynolds
Doster	Heacock	Merritt	Spragins
Forrester	Hinson	Miller	Teasley
Gardner	Horton	Moody	Thomas
Glenn	Jones	McWhorter	Wimberly

—28.

The bill:

H. 810. To establish a board of revenue for Houston county.

Was taken up.

Mr. Forrester offered the following amendment, to-wit:

Amend by striking section 2 of said bill and add in lieu thereof the following: "Section 2. Be it further enacted, That said county of Houston is hereby divided into five (5) revenue districts, numbered district No. 1, embracing beats 1, 2, 3, 4; district No. 2, embracing beat No. 3; district No. 3, embracing beats Nos. 7, 8, 10, 14; district No. 4, embracing beats No. 6, 11, 12; district No. 5, embracing beats No. 9, 13.

"That Y. L. Brackin, from district No. 1; that N. B. Crawford, from district No. 2; that N. S. Fellows, from district No. 3; that A. J. Sellers, from district No. 4; that Dan Hudspeth, from district No. 5, be, and the same are hereby, named as said board of revenue for

Houston county; that their term of office shall expire in the year 1910; that the term of office of said board of revenue shall be for six years and their successors shall be elected by the qualified electors of said county of Houston in the year 1910, and every six years thereafter, one from said district as aforesaid, in the manner provided by law for the election of county officers. Each member of said board of revenue must be a bona fide resident of the district from which he is elected."

Amend section 3 by striking that part of section 3 as follows: "And the sole right and authority to bind the county in any contract for the payment of money."

Amend section 7 by striking out that part of said section 7 as follows: "And the said president of said board is hereby made the tax commissioner for said county and shall do and perform all the duties heretofore and that may hereafter be required of such tax commissioner, and shall have and exercise all the powers now or that may hereafter be conferred upon such tax commissioner and shall receive the same fees and compensation allowed said tax commissioner by law."

Amend section 13 by adding in lieu of the words "two dollars and fifty cents," the words "three dollars."

Which was adopted.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lowe	Reynolds
Bayles	Hayes	Lusk	Spragins
Davis	Heacock	Merritt	Strother
Doster	Hinson	Miller	Teasley
Forrester	Horton	Moody	White
Gardner	Jones	Reese	Wilson
Glenn	King	Reid	Wimberly
Gunn			

—29.

And the bill, as thus amended, was read a third time, at length, and passed.

Yeas, 30; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Leith	Reynolds
Bayles	Hayes	Lusk	Spragins
Davis	Heacock	Merritt	Strother
Doster	Hinson	Miller	Teasley
Forrester	Horton	Moody	Thomas
Gardner	Jones	McWhorter	White
Glenn	King	Reid	Wilson
Gunn			

—30.

The bill:

H. 1032. To provide for an official shorthand reporter for the Thirteenth judicial circuit; to prescribe the qualifications, term of office and duties of such reporter, and to fix his compensation and fees.

Was taken up.

The committee offered the following amendment:

Amend section four by striking out the words "thirty-five" where they occur and inserting in lieu thereof the word "twenty."

Which was adopted.

Yeas, 28; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Jones	Reynolds
Bayles	Hamner	Lowe	Spragins
Davis	Hayes	Lusk	Strother
Doster	Heacock	Merritt	Teasley
Forrester	Hinson	Miller	White
Gardner	Horton	Moody	Wilson
Glenn	Jones	Reid	Wimberly

—28

And the bill, as thus amended, was read a third time, at length, and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Barbour	Doster	Gardner	Gunn
Bayles	Forrester	Glenn	Hamner

Hayes	King	Miller	Strother
Heacock	Leith	Reid	Teasley
Horton	Lowe	Reynolds	Wilson
Jones	Lusk	Spragins	Wimberly

—24.

The bill:

H. 876. To divide St. Clair county into two chancery districts, to provide for holding court therein, to authorize the appointment of a register for each of said districts, and to prescribe his duties.

Was taken up.

The committee offered the following amendment, to-wit:

Amend section 1, line 3, by striking therefrom the figure 9 and the comma following where same first occurs in said line.

Which was adopted.

Yeas, 30; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lowe	Spragins
Bayles	Hayes	Merritt	Strother
Davis	Heacock	Miller	Teasley
Doster	Hinson	Overton	Thomas
Forrester	Horton	Reese	White
Gardner	Jones	Reid	Wilson
Glenn	King	Reynolds	Wimberly
Gunn	Leith		

—30.

And the bill, as thus amended, was read a third time, at length, and passed.

Yeas, 30; nays, 0.

Yeas:

Messrs:

Barbour	Forrester	Hayes	King
Bayles	Gardner	Heacock	Leith
Blackmon	Glenn	Hinson	Lowe
Davis	Gunn	Horton	Lusk
Doster	Hamner	Jones	Merritt

Miller
Reid
Reynolds

Spragins
Strother
Teasley

Thomas
White

Wilson
Wimberly

—30.

The bill:

H. 1046. To amend section two of an act to constitute the city of Anniston a separate school district, and to provide a board of education therefor.

Was taken up.

The committee offered the following amendment, to wit:

A BILL

To be entitled an act to amend section two of an act to constitute the city of Anniston a separate school district, and to provide a board of education therefor.

Section 1. Be it enacted by the Legislature of Alabama, That section 2 of an act to constitute the city of Anniston a separate school district and to provide a board of education therefor, approved January 28th, 1891, to be amended so as to read as follows:

Section 2. Be it further enacted, That the public schools of the city of Anniston shall be under the control and management of a board of education to consist of eleven suitable persons to be elected by the mayor and city council of Anniston from the qualified electors of the city. Such board shall be divided into three classes, four in each of two classes, and three in the other class. The first class of four shall be elected at the first regular meeting of the city council in March 1909; the second class of four, at the same time in 1911, and the third class of three, at the same time in 1913, and the term of office shall be six years, and until their successors have been elected and qualified, and biennially thereafter said mayor and city council shall elect the successors of the members whose terms expire. Vacancies in said board, caused by death, resignation, or removal, shall be filled for the unexpired term by the mayor and city council. The board shall elect a chairman from its members, who shall hold office for

the term of two years. He shall have the right to vote upon all questions before said board and shall have a casting vote where there shall be a tie. Provided that the members of said board as now constituted shall serve for the several terms for which they have been elected, and provided further that in March, 1910, in addition to the four of the class elected for the full term of six years, a fifth shall be elected for a term of two years, and his successor shall be elected for a full term of six years, as one of the four of the said second class.

Which was adopted.

Yeas, 28; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	King	Spragins
Bayles	Hamner	Lowe	Strother
Blackmon	Hayes	Lusk	Teasley
Doster	Heacock	Merritt	Thomas
Forrester	Hinson	Miller	White
Gardner	Horton	Reid	Wilson
Glenn	Jones	Reynolds	Wimberly

—28.

And the bill, as thus amended, was read a third time, at length, and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Lusk	Spragins
Bayles	Hamner	Merritt	Strother
Blackmon	Horton	Miller	Teasley
Davis	Jones	Moody	White
Doster	King	Reid	Wilson
Forrester	Lowe	Reynolds	Wimberly
Gardner			

—25.

The bill:

H. 924. To divide the county of Hale into four commissioners' districts and to provide for the election of a commissioner for each district.

Was taken up.

The committee offered the following amendment, to-wit:

Amend by adding at end of section one "and three."

Adopted.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Lowe	Reynolds
Bayles	Hamner	Lusk	Spragins
Blackmon	Hayes	Merritt	Strother
Davis	Heacock	Miller	Teasley
Doster	Horton	Moody	White
Forrester	Jones	McWhorter	Wilson
Gardner	King	Reid	Wimberly
Glenn			

—29.

And the bill, as thus amended, was read a third time, at length, and passed.

Yeas, 28; nays, 0.

Yeas:

Messrs:

Bayles	Gunn	Lowe	Reynolds
Blackmon	Hamner	Lusk	Spragins
Davis	Hayes	Merritt	Strother
Doster	Heacock	Miller	Teasley
Forrester	Horton	Moody	White
Gardner	Jones	McWhorter	Wilson
Glenn	King	Reese	Wimberly

—28

The bill:

H. 1035. To provide for the election of a county solicitor for Wilcox county, to define his duties and fix his compensation.

Was taken up.

The committee offered the following amendment, to-wit:

Amend section one by inserting 1908 where 1910 occurs in said section.

Which was adopted.

Yeas, 30; nays, 0.

Yeas :

Messrs :

Barbour	Gunn	Leith	Spragins
Bayles	Hamner	Lusk	Strother
Blackmon	Hayes	Merritt	Teasley
Davis	Heacock	Miller	Thomas
Doster	Hinson	Moody	White
Forrester	Horton	Reid	Wilson
Gardner	Jones	Reynolds	Wimberly
Glenn	King		

—30.

And the bill, as thus amended, was read a third time, at length, and passed.

Yeas, 30 ; nays, 0.

Yeas :

Messrs :

Barbour	Gunn	Leith	Spragins
Bayles	Hamner	Lusk	Strother
Blackmon	Hayes	Merritt	Teasley
Davis	Heacock	Miller	Thomas
Doster	Hinson	Moody	White
Forrester	Horton	Reid	Wilson
Gardner	Jones	Reynolds	Wimberly
Glenn	King		

—30.

The bill:

H. 891. To, provide for the election of the county commissioners of Bibb county, Alabama, and to prescribe their terms of office.

Was taken up.

The committee offered the following amendment, to-wit:

Section 6. Beats number 1, 2, 9, 10 and 11 of Bibb county shall compose commissioners district number 1 of said county, beats number 3, 4 and 12 shall compose commissioners district number 2 of said county; beats number 5 and 7 shall compose commissioners district number 3 of said county and beats number 6 and 8 shall

compose commissioners district number 4 of said county.

Which was adopted.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	King	Reid
Bayles	Hamner	Leith	Reynolds
Blackmon	Hayes	Lowe	Spragins
Davis	Heacock	Lusk	Strother
Doster	Hinson	Merritt	Teasley
Forrester	Horton	Miller	White
Gardner	Jones	Overton	Wimberly
Glenn			

—29.

And said bill, as thus amended, was read a third time, at length, and passed.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Leith	Reynolds
Bayles	Hamner	Lusk	Spragins
Blackmon	Hayes	Merritt	Strother
Doster	Heacock	Miller	Teasley
Forrester	Hinson	Overton	White
Gardner	Horton	Reid	Wimberly
Glenn	King		

—26.

The bill:

S. 571. For the relief of Jno. S. Bonner, a disabled ex-confederate soldier of Pickens county, Alabama.

Was taken up.

The committee offered the following amendment, to-wit:

Amend said bill by striking out of same the words and figures \$30.00 for 1907, where same occur together in said bill.

Which was adopted.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lowe	Reynolds
Bayles	Hayes	Merritt	Spragins
Blackmon	Heacock	Miller	Strother
Davis	Hinson	Moody	Teasley
Doster	Jones	McWhorter	Thomas
Forrester	King	Overton	White
Gardner	Leith	Reese	Wimberly
Gunn			—29.

And said bill, as thus amended, was read a third time, at length, and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lowe	Reynolds
Bayles	Hayes	Merritt	Spragins
Blackmon	Heacock	Miller	Strother
Davis	Hinson	Moody	Teasley
Doster	Jones	McWhorter	Thomas
Forrester	King	Overton	White
Gardner	Leith	Reese	Wimberly
Gunn			—29.

The bill:

H. 971. To provide for the compensation of the solicitor for Mobile county, to be elected in 1910, and his successors in office.

Was read a third time, at length, and passed.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Barbour	Glenn	Jones	Strother
Bayles	Gunn	King	Teasley
Blackmon	Hamner	Leith	Thomas
Davis	Hayes	Lusk	White
Doster	Heacock	Miller	Wilson
Forrester	Hinson	Reid	Wimberly
Gardner	Horton	Reynolds	—27.

The bill:

H. 1110. For the relief of H. Frederick, an ex-confederate soldier; to give the said H. Frederick the benefits granted under an act the General Assembly of Alabama, approved February 10th, 1899, for the relief of needy confederate soldiers and sailors, resident citizens of Alabama, and to require the probate judge of Escambia county to place his name on the pension roll or list of ex-confederate soldiers in the county of Escambia.

Was read a third time, at length, and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Barbour	Glenn	Lusk	Strother
Bayles	Gunn	Miller	Teasley
Davis	Hinson	Reese	Thomas
Doster	Horton	Reid	Wilson
Forrester	Jones	Reynolds	Wimberly
Gardner	King	Spragins	

—23.

The bill:

H. 1100. To prohibit the manufacture of spirituous or malt liquors in Cherokee county.

Was read a third time, at length, and passed

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Miller	Strother
Bayles	Hamner	Moody	Teasley
Davis	Horton	McWhorter	Thomas
Doster	Jones	Overton	White
Forrester	King	Reese	Wilson
Gardner	Lusk	Reid	Wimberly
Glenn	Merritt		

—26.

The bill:

H. 1292. To require the court of county commissioners of Baldwin county to let to the lowest bidder, after due notice by publication, the road and bridge contracts

in Baldwin county, provided said bidder gives bond for the faithful performance of contract.

Was read a third time, at length, and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Merritt	Strother
Bayles	Heacock	Miller	Teasley
Davis	Horton	Reese	Thomas
Doster	Jones	Reid	White
Forrester	King	Reynolds	Wilson
Glenn	Lusk	Spragins	Wimberly
Gunn			

—25.

The bill:

H. 1112. To provide for the better construction, repairing, working, and maintaining the public roads and bridges in Franklin county, Alabama.

Was read a third time, at length, and passed.

Yeas, 29; nays, 0.

Messrs:

Barbour	Gunn	Leith	Reynolds
Bayles	Hamner	Lowe	Spragins
Blackmon	Hayes	Lusk	Strother
Davis	Heacock	Merritt	Teasley
Doster	Horton	Miller	Thomas
Forrester	Jones	Overton	White
Gardner	King	Reid	Wimberly
Glenn			

—26.

The bill:

H. 1102. To amend sections 8 and 10 of an act entitled an act to authorize the cities of Tusculum and Sheffield, and the towns of Leighton and Cherokee, in Colbert county, to establish and operate dispensaries in such incorporated cities and towns, for the purpose of buying and selling spirituous, vinous and malt liquors, and to provide for the distribution of certain profits arising therefrom, and to further regulate or prohibit

the sale of such liquors in said county, approved February 15, 1907, and to amend said act by adding sections 19 and 20 thereto.

Was read a third time, at length, and passed.

Yeas, 28; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	King	Reynolds
Bayles	Hamburger	Lowe	Spragins
Davis	Hamner	Lusk	Strother
Doster	Heacock	Merritt	Teasley
Forrester	Hinson	Miller	Thomas
Gardner	Horton	Overton	White
Glenn	Jones	Reid	Wimberly.

—28.

The bill:

H. 966. To amend sections 7, 8, 14, 21, 24, 27, 29 and 32 of an act entitled an act to establish a law and equity court for Madison county, approved February 26th, 1907.

Was read a third time, at length, and passed.

Yeas, 27; nays, 0.

Messrs:

Barbour	Gunn	Leith	Spragins
Blackmon	Hamner	Lusk	Strother
Davis	Hayes	Merritt	Thomas
Doster	Heacock	Miller	White
Forrester	Hinson	Overton	Wilson
Gardner	Horton	Reese	Wimberly
Glenn	Jones	Reynolds	

—27.

The bill:

H. 889. To prohibit the operation of traction engines on the public roads of Bibb county, Alabama.

Was read a third time, at length, and passed.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	King	Reid
Bayles	Hamner	Leith	Reynolds
Blackmon	Hayes	Lowe	Spragins
Davis	Heacock	Merritt	Strother
Doster	Hinson	Miller	Teasley
Forrester	Horton	Overton	White
Gardner	Jones	Reese	Wimberly
Glenn			

—29.

The bill:

H. 1218. To fix the time for the election of the solicitor of Jefferson county.

Was read a third time, at length, and passed.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Lusk	Strother
Bayles	Hamner	Merritt	Teasley
Blackmon	Heacock	Miller	Thomas
Davis	Hinson	Overton	Thomas
Doster	Horton	Reid	White
Forrester	Jones	Reynolds	Wilson
Gardner	King	Spragins	Wimberly
Glenn	Leith		

—29

The bill:

H. 884. To authorize the board of mayor and aldermen of the city of Tuscaloosa to maintain or contribute to the maintenance of a wagon yard or lot in the city of Tuscaloosa, for the benefit of the public, and to prescribe rules for the government of same, and to pay out of the general fund of the city such sums of money as the said city board deems necessary for the maintenance, or part maintenance of said wagon yard or lot.

Was read a third time, at length, and passed.

Yeas, 31; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Lowe	Spragins
Bayles	Hamner	Lusk	Strother
Blackmon	Heacock	Merritt	Teasley
Davis	Hinson	Miller	Thomas
Doster	Horton	Moody	White
Forrester	Jones	Overton	Wilson
Gardner	King	Reid	Wimberly
Glenn	Leith	Reynolds	

—31.

The bill:

H. 951. To vacate and annul Fifth street between Second and Third avenues; Sixth street between Second and Third avenues; Third avenue between Fourth and Sixth streets; the alley extending north and south in block eleven, and the alley running east and west in block eleven, in the Pratt Land and Improvement Company's survey of East Thomas, Jefferson county, Alabama.

Was read a third time, at length, and passed.

Yeas, 31; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Leith	Reynolds
Bayles	Hamner	Lowe	Spragins
Blackmon	Hayes	Lusk	Strother
Davis	Heacock	Merritt	Thomas
Doster	Hinson	Miller	White
Forrester	Horton	Moody	Wilson
Gardner	Jones	Overton	Wimberly
Glenn	King	Reid	

—31.

The bill:

H. 950. To vacate and annul Stollenwreck avenue as shown on the map of Village Creek Land Company's survey in Jefferson county, Alabama, as a public street or highway, and to annul and extinguish the dedication thereof.

Was read a third time, at length, and passed.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Leith	Spragins
Bayles	Hamner	Lusk	Strother
Blackmon	Hayes	Merritt	Teasley
Davis	Heacock	Miller	Thomas
Doster	Horton	Overton	White
Forrester	Jones	Reid	Wilson
Gardner	King	Reynolds	Wimberly
Glenn			

—29.

The bill:

H. 1190. To repeal an act approved September the 30, 1903, entitled an act to provide a better system, and the more efficient working of the public roads of Bullock county.

Was read a third time, at length, and passed.

Yeas, 28; nays, 0.

Yeas:

Messrs:

Barbour	Glenn	Jones	Reid
Bayles	Gunn	King	Reynolds
Blackmon	Hamner	Lowe	Spragins
Davis	Hayes	Lusk	Strother
Doster	Heacock	Merritt	Teasley
Forrester	Hinson	Miller	Thomas
Gardner	Horton	Overton	Wimberly

—28.

The bill:

H. 1191. To provide that the sheriff of Bullock county, Alabama, shall receive for "impanelling grand juries, advertising and attending all elections in his county, and for all other public service not otherwise provided for, such sum as may be allowed by the court of county commissioners, to be paid out of the county treasury, not exceeding five hundred (\$500.00) dollars per annum."

Was read a third time, at length, and passed.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Barbour	Glenn	King	Spragins
Bayles	Gunn	Leith	Strother
Blackmon	Hamner	Lowe	Teasley
Davis	Hayes	Lusk	White
Doster	Heacock	Miller	Wilson
Forrester	Horton	Overton	Wimberly
Gardner	Jones	Reid	

—27.

The bill:

S. 596. To repeal an act to repeal sections 3957, 3958, 3959, 3960, 3961, 3962, and 3963 of the Code of Alabama of 1896 in so far as the same apply to Jackson county, approved October 13, 1903.

Was read a third time at length, and passed, and ordered sent to the House forthwith without engrossment.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lowe	Spragins
Bayles	Hayes	Lusk	Strother
Davis	Heacock	Merritt	Teasley
Doster	Hinson	Miller	Thomas
Forrester	Horton	Overton	White
Gardner	Jones	Reid	Wilson
Glenn	King	Reynolds	Wimberly
Gunn			

—29.

The bill:

H. 1267. To provide for the payment of the court of county commissioners of Bullock county, Alabama, out of the county treasury for removal fees, mileage and per diem for the removal of persons charged with misdemeanor.

Was read a third time, at length, and passed.

Yeas, 30; nays, 0.

Yeas:

Messrs:

Barbour	Blackmon	Doster	Gardner
Bayles	Davis	Forrester	Glenn

Gunn	Jones	Moody	Strother
Hamner	King	Overton	Thomas
Hayes	Leith	Reid	White
Heacock	Lowe	Reynolds	Wilson
Hinson	Merritt	Spragins	Wimberly
Horton	Miller		

—30.

The bill:

H. 990. To require the tax assessor and tax collector of Morgan county, Alabama, to make their round as required by law together, and providing notice of said round.

Was read a third time, at length, and passed.

Yeas, 30; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Leith	Reynolds
Bayles	Hamner	Lowe	Spragins
Blackmon	Hayes	Lusk	Strother
Davis	Heacock	Merritt	Teasley
Doster	Hinson	Miller	Thomas
Forrester	Horton	Overton	Wilson
Gardner	Jones	Reid	Wimberly
Glenn	King		

—30.

The bill:

H. 836. To amend an act, entitled an act to establish a separate school district, to be known as the Bethel school district, composed of a portion of Colbert, Lawrence and Franklin cunties, Alabama, approved February 15th, 1899.

Was read a third time, at length, and passed.

Yeas, 30; nays, 0.

Yeas:

Messrs:

Barbour	Gardner	Heacock	Leith
Bayles	Glenn	Hinson	Lowe
Blackmon	Gunn	Horton	Merritt
Doster	Hamner	Jones	Miller
Forrester	Hayes	King	Moody

Overton	Spragins	Thomas	Wilson
Reid	Strother	White	Wimberly
Reynolds	Teasley		

—30.

The bill:

H. 1030. To amend section two, twenty-seven and thirty-three of an act entitled an act to establish the Walker county law and equity court, approved December 5th, 1900, and to amend ~~section one of an act approved February 15th, 1901, entitled an act to amend sections 8, 9 and 26 of an act entitled an act to establish the Walker county law and equity court, approved December 5, 1900.~~

Was read a third time, at length, and passed.

Yeas, 30; nays, 0.

Nays:

Messrs:

Barbour	Hamner	Lowe	Reynolds
Bayles	Hayes	Lusk	Spragins
Davis	Heacock	Merritt	Strother
Doster	Hinson	Miller	Teasley
Forrester	Horton	Overton	Thomas
Gardner	Jones	Reese	Wilson
Glenn	King	Reid	Wimberly
Gunn	Leith		

—30.

The bill:

H. 1139. To repeal an act entitled, "An act to better provide for the working and maintenance of the public roads of Chambers, Lamar, Lawrence, Lowndes, Clay and Cleburne counties," approved February 18th, 1899, so far as the same relates to Lamar county.

Was read a third time, at length, and passed.

Yeas, 29; nays, 0.

Messrs:

Yeas:

Barbour	Doster	Gunn	Hinson
Bayles	Forrester	Hamner	Horton
Blackmon	Gardner	Hayes	Jones
Davis	Glenn	Heacock	King

Leith	Overton	Spragins	White
Lowe	Reese	Strother	Wilson
Merritt	Reynolds	Teasley	Wimberly
Miller			—29.

The bill:

S. 619. For the relief of J. T. Ballow.

Was read a third time, at length, and passed, and ordered sent to the House forthwith without engrossment.

Yeas, 30; nays, 0.

Messrs:

Messrs:

Barbour	Gunn	Leith	Spragins
Bayles	Hamner	Lowe	Strother
Blackmon	Hayes	Lusk	Teasley
Davis	Heacock	Miller	Thomas
Doster	Hinson	Overton	White
Forrester	Horton	Reid	Wilson
Gardner	Jones	Reynolds	Wimberly.
Glenn	King		

—30.

The bill:

S. 620. For the relief of J. C. Webb, Jr., and J. T. Ballow.

Was read a third time, at length, and passed, and ordered sent to the House forthwith without engrossment.

Yeas, 30; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Leith	Spragins
Bayles	Hamner	Lowe	Strother
Blackmon	Hayes	Lusk	Teasley
Davis	Heacock	Miller	Thomas
Doster	Hinson	Overton	White
Forrester	Horton	Reid	Wilson
Gardner	Jones	Reynolds	Wimberly
Glenn	King		

—30.

The bill:

H. 1039. To authorize the court of county commissioners of Wilcox county to borrow money, not exceed-

ing one-half of the county revenue of said county per annum.

Was read a third time, at length, and passed.

Yeas, 28; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	King	Reynolds
Bayles	Hamner	Leith	Spragins
Davis	Hayes	Lusk	Strother
Doster	Heacock	Merritt	Teasley
Forrester	Hinson	Miller	Thomas
Gardner	Horton	Moody	White
Glenn	Jones	Reid	Wimberly

—28.

The bill:

H. 1038. To authorize the court of county comissioners of Wilcox county to purchase or acquire three or more ferries along the Alabama river in said county. To operate and maintain same for the public use.

Was read a third time, at length, and passed.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Leith	Spragins
Bayles	Hamner	Lusk	Strother
Blackmon	Heacock	Merritt	Teasley
Davis	Hinson	Miller	Thomas
Doster	Horton	Moody	White
Forrester	Jones	Reid	Wilson
Gardner	King	Reynolds	Wimberly
Glenn			

—29.

The bill:

H. 1018. To authorize an election in the county of Talladega, to determine whether or not bonds in the sum of two hundred and fifty thousand dollars shall be issued by said county for the purpose of building macadam, chert and gravel public roads therein.

Was read a third time, at length, and passed.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Lowe	Strother
Bayles	Hamner	Lusk	Teasley
Davis	Hayes	Miller	Thomas
Doster	Heacock	Moody	White
Forrester	Horton	Reid	Wilson
Gardner	Jones	Reynolds	Wimberly
Glenn	King	Spragins	

—27.

The bill:

H. 925. To provide for the working of the public roads of Hale county, Alabama, for levying a tax for same and how same shall be expended.

Was read a third time, at length, and passed.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Leith	Spragins
Bayles	Hamner	Lusk	Strother
Davis	Hayes	Merritt	Thomas
Doster	Heacock	Miller	White
Forrester	Horton	Reid	Wilson
Gardner	Jones	Reynolds	Wimberly
Glenn	King		

—26.

The bill:

H. 133. To amend an act entitled "An act to establish an inferior court in precincts 21 and 37 in Jefferson county, Alabama, in lieu of all justices of the peace and notaries public with powers of justices of the peace in said precincts and to define the jurisdiction and powers of said court and the judges thereof," approved September 26th, 1903.

Was read a third time, at length, and passed.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Barbour	Davis	Gardner	Hamner
Bayles	Doster	Glenn	Hayes
Blackmon	Forrester	Gunn	Heacock

Hinson	Lowe	Reynolds	Thomas
Horton	Lusk	Spragins	White
Jones	Miller	Strother	Wilson
King	Reid	Teasley	Wimberly
Leith			

—29.

The bill:

H. 1017. To authorize Talladega county, Alabama, to build and construct macadam, chert and gravel public roads, and the necessary bridges, culverts and drainways therefor, and to issue bonds of said county to aid in the construction and building thereof.

Was read a third time, at length, and passed.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Leith	Spragins
Bayles	Hamner	Lusk	Strother
Davis	Hayes	Merritt	Thomas
Doster	Heacock	Miller	White
Forrester	Horton	Reid	Wilson
Gardner	Jones	Reynolds	Wimberly.
Glenn	King		

—26.

The bill:

H. 1095. To require the tax assessor and tax collector of Calhoun county, Alabama, to visit the voting places in each precinct in Calhoun county, Alabama, once in each year for the purpose of assessing and collecting taxes. That said tax assessor and tax collector shall each keep his office open at the court house of said county from October the 1st to December the 31st of each year.

Was read a third time, at length, and passed.

Yeas, 28; nays, 0.

Yeas:

Messrs:

Barbour	Forrester	Hamburger	Horton
Bayles	Gardner	Hamner	Jones
Blackmon	Glenn	Hayes	King
Doster	Gunn	Hinson	Lowe

Lusk	Reid	Strother	White
Merritt	Reynolds	Teasley	Wilson
Miller	Spragins	Thomas	Wimberly

—28.

The bill:

H. 934. To repeal an act entitled, "An act to provide for the establishing of a separate school district to be known as the North Birmingham district in Jefferson county, Alabama, and to provide for the selection of a board of trustees for said school district with certain duties and powers," approved March 4th, 1901.

Was read a third time, at length, and passed.

Yeas, 30; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lowe	Spragins
Bayles	Hayes	Lusk	Strother
Blackmon	Heacock	Merritt	Teasley
Davis	Hinson	Miller	Thomas
Forrester	Horton	Moody	White
Gardner	Jones	Reid	Wilson
Glenn	King	Reynolds	Wimberly
Gunn	Leith		

—30.

The bill:

H. 1004. To repeal an act entitled an act to establish and define the boundary lines of Spring Hill school district, Pike county.

Was read a third time, at length, and passed.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Leith	Reynolds
Bayles	Hayes	Lusk	Spragins
Davis	Heacock	Merritt	Strother
Doster	Hinson	Miller	Teasley
Forrester	Horton	Moody	White
Gardner	Jones	Reese	Wilson
Glenn	King	Reid	Wimberly
Gunn			

—29.

The bill :

H. 1016. To repeal an act entitled, "an act to establish, maintain and regulate a dispensary in the town of Ragland, in St. Clair county, Alabama, for the sale of spirituous, and vinous liquors, malt liquors, wines, ciders and other intoxicating liquors, and to create a board of directors for the purpose of better controlling and ~~managing the sale of spirituous and vinous liquors, malt liquors, wines, ciders, and other intoxicating liquors,~~ and for other purposes."

Was read a third time, at length, and passed.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lowe	Spragins
Bayles	Hayes	Lusk	Strother
Davis	Heacock	Merritt	Teasley
Doster	Hinson	Miller	Thomas
Forrester	Horton	Moody	White
Gardner	Jones	Reid	Wilson
Glenn	King	Reynolds	Wimberly
Gunn			

—29.

The bill :

H. 862. To provide for the payment of jurors in Clarke county, Alabama.

Was read a third time, at length, and passed.

Yeas, 28; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Leith	Spragins
Bayles	Hamner	Lowe	Strother
Davis	Hayes	Lusk	Teasley
Doster	Heacock	Merritt	Thomas
Forrester	Horton	Miller	White
Gardner	Jones	Reid	Wilson
Gunn	King	Reynolds	Wimberly

—28.

The bill :

H. 1322. To provide for compulsory pilotage on all vessels and craft crossing the outer Bar of Mobile Bay.

except vessels engaged in American coast-wise trade, and to repeal all laws in conflict herewith.

Was read a third time, at length, and passed.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lusk	Spragins
Bayles	Hayes	Merritt	Strother
Davis	Horton	Miller	Thomas
Doster	Jones	Overton	White
Forrester	King	Reid	Wilson
Gardner	Leith	Reynolds	Wimberly
Gunn	Lowe		

—26.

The bill:

H. 1010. To ratify and confirm the acts and contracts of the court of county commissioners of Russell county, or other authorized agents of said county, in borrowing money for the use and benefit of said county, and to ratify and confirm the warrants given on said contracts for money so borrowed.

Was read a third time, at length, and passed

Yeas, 30; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lusk	Reynolds
Bayles	Hayes	Merritt	Spragins
Davis	Heacock	Miller	Strother
Doster	Hinson	Moody	Teasley
Forrester	Horton	Overton	White
Gardner	Jones	Reese	Wilson
Glenn	King	Reid	Wimberly
Gunn	Lowe		

—39.

The bill:

H. 1099. To amend section 3 of an act entitled "An act to establish a separate school district in Clarke county, Alabama, to be known as the Grove Hill school district and to provide for the maintenance of the same, approved March 4th, 1901.

Was read a third time, at length, and passed.

Yeas, 30; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lowe	Reynolds
Bayles	Hayes	Lusk	Spragins
Blackmon	Heacock	Merritt	Strother
Davis	Hinson	Miller	Teasley
Forrester	Horton	Overton	White
Gardner	Jones	Reese	Wilson
Glenn	King	Reid	Wimberly.
Gunn	Leith		

—30.

The bill:

H. 870. To repeal an act entitled "An act to establish the county court of Coffee for Coffee county with criminal jurisdiction in misdemeanor cases," approved February 8th, 1901, and all subsequent and amendatory acts relating to said court, and to transfer all the civil and criminal proceedings therein pending, together with all the dockets, papers and books relating to said cases in said county court of Coffee to the circuit court of Coffee county, Alabama.

Was read a third time, at length, and passed.

Yeas, 30; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Lowe	Reid
Bayles	Hamner	Lusk	Reynolds
Blackmon	Hayes	Merritt	Spragins
Davis	Heacock	Miller	Strother
Doster	Horton	Moody	Teasley
Forrester	Jones	McWhorter	White
Gardner	King	Reese	Wilson
Glenn	Leith		

—30.

The bill:

H. 1009. To authorize the county of Russell to borrow money not exceeding the current revenue of said county for any one year, in the discretion of the court of county commissioners of said county.

Was read a third time, at length, and passed.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Leith	Reid
Bayles	Hayes	Lowe	Reynolds
Blackmon	Heacock	Lusk	Spragins
Davis	Hinson	Merritt	Strother
Forrester	Horton	Miller	Teasley
Gardner	Jones	Overton	Thomas
Glenn	King	Reese	Wilson
Gunn			Wimberly

—29.

The bill:

H. 1301. To prohibit the sale, barter, exchange or giving away of vinous, spirituous or malt liquors, or other intoxicating drinks or beverages, in the county of Houston, in the State of Alabama; and to provide for an offense and a penalty for the sale, barter, exchange, or giving away of vinous, spirituous or malt liquor, or other intoxicating drinks or beverages in the said county of Houston.

Was read a third time, at length, and passed

Yeas, 30; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lusk	Reynolds
Bayles	Hayes	Merritt	Spragins
Davis	Heacock	Miller	Strother
Doster	Horton	Moody	Teasley
Forrester	Jones	McWhorter	Thomas
Gardner	King	Overton	White
Glenn	Leith	Reid	Wimberly
Gunn	Lowe		

—30.

The bill:

S. 618. To prohibit the sale, barter or exchange of spirituous, vinous or malt liquors, or other intoxicating drinks, in Henry county, and to provide punishment of violations of said act.

Was read a third time, at length, and passed, and ordered sent to the House forthwith without engrossment.

Yeas, 30; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Leith	Reynolds
Bayles	Hamner	Lowe	Spragins
Blackmon	Hayes	Lusk	Strother
Davis	Heacock	Miller	Teasley
Doster	Hinson	Moody	Thomas
Forrester	Horton	McWhorter	White
Gardner	Jones	Overton	Wimberly
Glenn	King		

—30.

The bill:

H. 1013. To provide for the payment out of the county treasury of Shelby county, Alabama, the sum of \$336.91 as salary or compensation and expenses of the State examiner while engaged in making an examination of books and accounts of the various county officers of said county of Shelby as they pertain to the county affairs, and to make said claim a preferred claim against said treasury.

Was read a third time, at length, and passed.

Yeas, 28; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	King	Reese
Bayles	Hamner	Lowe	Reynolds
Davis	Hayes	Lusk	Spragins
Doster	Heacock	Merritt	Teasley
Forrester	Hinson	Miller	Thomas
Gardner	Horton	McWhorter	White
Glenn	Jones	Overton	Wimberly

—28.

The bill:

H. 1044. To alter or change the boundary line between the counties of Etowah and Calhoun in the State of Alabama, and as altered to establish the same.

Was read a third time, at length, and passed.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Barbour	Heacock	Merritt	Spragins
Forrester	Hinson	Miller	Strother
Gardner	Horton	Moody	Teasley
Glenn	Jones	McWhorter	White
Gunn	King	Overton	Wilson
Hamner	Leith	Reid	Wimberly
Hayes	Lusk	Reynolds	

—27.

The bill:

H. 917. To prohibit the sale or otherwise disposing of spirituous, vinous or malt liquors, intoxicating drinks, bitters or beverages, in Dale county, Alabama.

Was read a third time, at length, and passed.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Gardner	Jones	Spragins
Bayles	Glenn	Lusk	Strother
Blackmon	Gunn	Merritt	Thomas
Davis	Hamner	McWhorter	White
Doster	Heacock	Reid	Wilson
Forrester	Horton	Reynolds	Wimberly.

—26.

The bill:

H. 713. For the relief of L. W. Kolb, to refund certain moneys illegally collected from him in Dale county as State license.

Was read a third time, at length, and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Barbour	Glenn	Leith	Reynolds
Bayles	Gunn	Lusk	Spragins
Davis	Hayes	Merritt	Strother
Doster	Heacock	McWhorter	Thomas
Forrester	Horton	Overton	White
Gardner	Jones	Reid	Wimberly

—24.

The bill:

H. 920. To amend section nine of an act entitled an act to authorize all incorporated towns and cities in Elmore county to establish and operate dispensary or dispensaries in such incorporated towns or cities, for the purpose of buying and selling spirituous, vinous or malt liquors, and to provide for the distribution of certain profits arising therefrom, and to further regulate or prohibit the selling of such liquors in such county approved February 9, 1907.

Was read a third time, at length, and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Barbour	Hamburger	Merritt	Strother
Bayles	Hamner	Miller	Teasley
Blackmon	Heacock	McWhorter	Thomas
Davis	Jones	Overton	White
Doster	King	Reese	Wilson
Forrester	Lowe	Spragins	Wimberly.
Gardner			

—25.

The bill:

H. 1042. To repeal an act entitled "An act to increase the number of grand and petit jurors in Winston county," approved February 7th, 1885.

Was read a third time, at length, and passed.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Barbour	Hamburger	Leith	Reid
Bayles	Hamner	Lowe	Spragins
Blackmon	Hayes	Merritt	Strother
Davis	Heacock	Miller	Thomas
Doster	Hinson	Moody	White
Forrester	Horton	Overton	Wilson
Gardner	King	Reese	Wimberly
Glenn			

—29.

The bill:

H. 965. To fix the times and places of holding the chancery court in the Eighth district of the Northern division, composed of the county of Madison.

Was read a third time, at length, and passed.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lowe	Keynolds
Bayles	Hayes	Lusk	Spragins
Davis	Heacock	Merritt	Strother
Doster	Hinson	Miller	Teasley
Forrester	Horton	Moody	White
Gardner	Jones	Overton	Wilson
Glenn	King	Reid	Wimberly
Gunn			

—29.

The bill:

H. 1150. To amend "An act to provide for the settlement, adjustment and refunding of the bonded indebtedness of municipal corporations."

Was read a third time, at length, and passed.

Yeas, 31; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Merritt	Spragins
Bayles	Hayes	Miller	Strother
Davis	Heacock	Moody	Teasley
Doster	Hinson	McWhorter	Thomas
Forrester	Horton	Overton	White
Gardner	Jones	Reese	Wilson
Glenn	King	Reid	Wimberly
Gunn	Lusk	Reynolds	

—31.

The bill:

S. 581. To require the tax assessor of Mobile county to make a lot book for the years 1906, 1907, and each year thereafter, showing in abstract form all legal subdivisions which have been or which may hereafter be made of all property in Mobile county, and the name of the person, firm or corporation to whom each lot or sub

division is assessed for the said years; and to provide compensation therefor.

Was read a third time, at length, and passed, and ordered same sent forthwith to the House without engrossment.

Yeas, 28; nays, 0.

Yeas:

Messrs:

Barbour	Glenn	Jones	Overton
Bayles	Gunn	King	Reid
Blackmon	Hamner	Leith	Reynolds
Davis	Hayes	Lowe	Spragins
Doster	Heacock	Lusk	Strother
Forrester	Hinson	Miller	Teasley
Gardner	Horton	Moody	Thomas

—28.

The bill:

H. 1082. To amend section 4 and section 12 of an act entitled an act to better provide for the maintaining and keeping in repair the public roads of Escambia county, approved September 17, 1903.

Was read a third time, at length, and passed.

Yeas, 31; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Lowe	Spragins
Bayles	Hamner	Lusk	Strother
Blackmon	Heacock	Merritt	Teasley
Davis	Hinson	Miller	Thomas
Doster	Horton	Moody	White
Forrester	Jones	McWhorter	Wilson
Gardner	King	Overton	Wimberly.
Glenn	Leith	Reid	

—31.

The bill:

H. 1219. To increase the salary of the solicitor of Jefferson county to the sum of four thousand five hundred dollars per annum, and provide for the payment of said salary.

Was read a third time, at length, and passed.

Yeas, 24; nays, 2.

Yeas:

Messrs:

Barbour	Gardner	Hinson	Miller
Bayles	Glenn	Horton	Overton
Blackmon	Gunn	Jones	Reid
Davis	Hamner	King	Strother
Doster	Hayes	Leith	White
Forrester	Heacock	Lowe	Wilson

—24.

Nays: Messrs. Lusk and Spragins—2.

The bill:

H. 832. To vacate the dedication of all that part of Charles avenue lying north and east of the eastern line of Twelfth street as now located between avenues "H" and "I" in the city of Birmingham, Jefferson county, Alabama, and which was dedicated as a public highway.

Was read a third time, at length, and passed.

Yeas, 32; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Lowe	Reynolds
Bayles	Hamner	Lusk	Spragins
Blackmon	Hayes	Merritt	Strother
Davis	Heacock	Miller	Teasley
Doster	Hinson	Moody	Thomas
Forrester	Horton	McWhorter	White
Gardner	Jones	Overton	Wilson
Glenn	King	Reid	Wimberly

—32.

The bill:

S. 608. To provide that no license or taxes of any character shall be required by the State, county or municipality from the Alabama Agricultural Association or from those who conduct business under contract with it on its grounds during the time its annual fair is actually in progress.

Was read a third time, at length, and passed, and ordered sent to the House forthwith without engrossment.

Yeas, 28; nays, 0.

Yeas:

Messrs:

Barbour	Glenn	Jones	Reynolds
Bayles	Hamburger	Leith	Spragins
Blackmon	Hamner	Lowe	Strother
Davis	Hayes	Lusk	Teasley
Doster	Heacock	Miller	White
Forrester	Hinson	Moody	Wilson
Gardner	Horton	Overton	Wimberly

—28.

The bill:

S. 562. For the relief of Chas. G. Abercrombie & Company on unexpired license as future dealers.

Was read a third time, at length, and passed, and ordered sent to the House forthwith without engrossment.

Yeas, 24; nays, 1.

Yeas:

Messrs:

Barbour	Gardner	Jones	Spragins
Bayles	Glenn	Lowe	Teasley
Blackmon	Hamburger	Lusk	Thomas
Davis	Hamner	Moody	White
Doster	Heacock	Overton	Wilson
Forrester	Horton	Reese	Wimberly

—24.

Nays: Mr. Merritt—1.

The bill:

H. 1259. To amend sections 4, 13, 20, 17, 24, 25 and by adding section 28 1-2 to the provisions of an act entitled "An act to provide a road law for the county of Marengo, and to enforce the same," approved February 26, 1907.

Was read a third time, at length, and passed.

Yeas, 28; nays, 0.

Yeas:

Messrs:

Barbour	Davis	Gardner	Hamner
Bayles	Doster	Gunn	Heacock
Blackmon	Forrester	Hamburger	Horton

King	Merritt	Overton	Teasley
Leith	Miller	Reese	Thomas
Lowe	Moody	Reynolds	White
Lusk	McWhorter	Strother	Wilson

—28.

The bill:

H. 885. To amend an act entitled "An act to prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors or any intoxicating bitters or beverages within one mile of Old Mount Zion Baptist church, Barbour county," approved February 9th, 1897, and to provide a penalty for the violation of this act.

Was read a third time, at length, and passed.

Yeas, 28; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Merritt	Reynolds
Bayles	Hayes	Miller	Spragins
Blackmon	Heacock	Moody	Strother
Davis	Horton	McWhorter	Teasley
Doster	Jones	Overton	Thomas
Gardner	King	Reese	White
Hamburger	Lusk	Reid	Wilson

—28.

The bill:

H. 899. To validate claims against Clay county, county, Alabama, for work and labor and material or supplies furnished said county under provisions of the recent Clay county road law which has been declared unconstitutional, and authorize the commissioners' court to audit and allow such claims as preferred claims against the general fund of said county, and direct payment of same.

Was read a third time, at length, and passed.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Barbour	Davis	Gardner	Hamburger
Bayles	Doster	Glenn	Hamner
Blackmon	Forrester	Gunn	Heacock

Hinson	Lusk	McWhorter	Teasley
Horton	Merritt	Overton	Thomas
Jones	Miller	Reese	White
Leith	Moody	Reynolds	Wilson
Lowe			

—29.

The bill:

H. 901. To authorize the court of county commissioners of Clay county, Alabama, to pay annually, on claims for public roads and bridges, an amount, out of the general fund of said county, not to exceed one-fifth of said general fund, levied and collected in any one year.

Was read a third time, at length, and passed.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Lowe	Reid
Bayles	Hamburger	Lusk	Spragins
Blackmon	Hamner	Merritt	Teasley
Davis	Heacock	Miller	Thomas
Doster	Horton	Moody	White
Forrester	King	Overton	Wilson
Gardner	Leith	Reese	Wimberly
Glenn			

—29.

The bill:

H. 1089. To require one round to be made by the tax collector and tax assessor of Blount county for the purpose of assessing and collecting taxes, said round to begin the first Monday of November of every year.

Was read a third time, at length, and passed.

Yeas, 30; nays, 0.

Yeas:

Messrs:

Barbour	Forrester	Hamner	King
Bayles	Gardner	Heacock	Leith
Blackmon	Glenn	Hinson	Lowe
Davis	Gunn	Horton	Lusk
Doster	Hamburger	Jones	Miller

Moody	Reynolds	Thomas	Wilson
McWhorter	Spragins	White	Wimberly
Reese	Teasley		

—30.

The bill:

H. 913. For the maintenance, improvement, and protection of the public roads and bridges of Cullman county, Alabama, and to provide for a special road tax therefor; also, for the purchase of implements, teams and other things necessary in the construction and improvement of the same; to pay for the same either out of the general fund for the county or the special road and bridge fund; to provide for the appointment by the commissioners' court of said county, of a road superintendent or superintendents and surveyor or surveyors, fixing their pay, defining their duties, and conferring special powers on the commissioners' court of said county; providing for the method of employing hands and how certain parties may be required to take out a license for the use of said public roads; providing the method of appointing apportioners and overseers and defining their duties, and how they can be excused from serving as such; defining the road year and those liable to road duty, the time they may be required to work; describing the manner in which they may pay in lieu of work to the tax collector of said county, and his duty as to same, and the method of warning hands, and defining those who are exempt from road duty.

Was read a third time, at length, and passed.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Jones	Overton
Bayles	Hamburger	King	Reese
Blackmon	Hamner	Lusk	Reynolds
Davis	Hayes	Merritt	Spragins
Doster	Heacock	Miller	Strother
Forrester	Hinson	Moody	Thomas
Gardner	Horton	McWhorter	Wilson
Glenn			

—29.

The bill:

H. 1053. To alter and rearrange the boundaries of the town of Pollard, extending the corporate limits of said town.

Was read a third time, at length, and passed.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Leith	Reese
Bayles	Hamner	Lusk	Reynolds
Blackmon	Heacock	Merritt	Strother
Davis	Hinson	Miller	Teasley
Doster	Horton	Moody	Thomas
Forrester	Jones	McWhorter	White
Gardner	King	Overton	Wimberly
Glenn			

—29.

The bill:

H. 896. To repeal an act entitled "An act to authorize the commissioners' court of Butler county to order elections for the establishment of districts in which stock shall be prevented from running at large.

Was read a third time, at length, and passed.

Yeas, 28; nays, 0.

Yeas:

Messrs:

Barbour	Glenn	Leith	Overton
Bayles	Hamner	Lowe	Reid
Blackmon	Hayes	Lusk	Spragins
Davis	Heacock	Merritt	Teasley
Doster	Hinson	Miller	Thomas
Forrester	Jones	Moody	White
Gardner	King	McWhorter	Wimberly

—28.

The bill:

H. 1298. To authorize and empower the court of county commissioners of Butler county to contract for and place in the office of the various officers of said county, telephones, writing machines and other mechanical device as in the opinion of the said court of county commissioners is necessary or expedient and to con-

tract for and place in the jail and poor houses of said county such telephones as may be necessary.

Was read a third time, at length, and passed.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Lusk	Reid
Bayles	Hamner	Merritt	Reynolds
Blackmon	Hayes	Miller	Spragins
Davis	Hinson	Moody	Strother
Doster	Horton	McWhorter	Teasley
Forrester	King	Overton	White
Gardner	Leith	Reese	Wimberly
Glenn			

—29.

The bill:

H. 907. To provide for the making of bonds of the State Auditor and Secretary of State through guarantee companies and to provide for the payment of the premium on same.

Was read a third time, at length, and passed.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Leith	Reese
Bayles	Hamner	Lowe	Reynolds
Blackmon	Hayes	Lusk	Strother
Davis	Heacock	Merritt	Teasley
Doster	Horton	Moody	Thomas
Forrester	Jones	McWhorter	Wilson
Gardner	King	Overton	Wimberly
Glenn			

—29.

The bill:

H. 1119. To declare the ownership of all books of record, all books of every character kept by any officer of the circuit court of Henry county at Dothan and Columbia, and all papers of every character pertaining to any cause, civil or criminal, theretofore disposed of, or pending or originating in said courts and not finally

disposed of, including indictments where no arrests had been made, at the time of the organization of the county of Houston to be the property of Houston county and same to be kept in the office of the clerk of the circuit court of Houston county; to give the circuit court of Houston county jurisdiction of all such causes, civil or criminal, including indictments, where no arrest had ~~been made at the time of the organization of said Houston county, except where the defendant was at the time~~ of the commission of the offense alleged, in what is now Henry county, in which latter event the circuit court of Henry county shall have jurisdiction of the offense; to prescribe the duties and powers of the clerk of the circuit court of Houston county and of the sheriffs of their respective counties with reference to the issuance of process and the execution thereof in such causes, and to ratify and confirm all orders and judgments and proceedings of the circuit courts of Henry and Houston counties in any of said causes, and the acts of the clerks of the circuit courts of said counties and of the sheriffs of their respective counties, within their powers and duties, in and about any of said causes, including the issuance of capias and arrests thereon, on indictments returned to said circuit courts of Henry county at Dothan and Columbia, and to declare same of legal force and effect the same as though such cases had originated in said circuit courts of Houston or Henry counties.

Was read a third time, at length, and passed.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Leith	Reese
Bayles	Hamner	Lowe	Reynolds
Blackmon	Hayes	Lusk	Spragins
Davis	Heacock	Merritt	Teasley
Doster	Horton	Miller	Thomas
Forrester	Jones	Moody	White
Gardner	King	McWhorter	Wimberly
Glenn			

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker of the House having signed the following House bills, your signature thereto is requested:

H. 1077. To fix a basis for the ascertainment of the annual franchise tax on foreign corporations.

H. 742. To prohibit the sale of intoxicating liquors of every kind, within three miles of the public school house at Creola, Mobile county, Alabama, and to provide a penalty for the violation of this act.

H. 921. To regulate the fine and forfeiture fund of Escambia county and to better provide for the payment of State witnesses and officers fees in said county.

H. 1129. To encourage the development of the various unused water powers in the State, by exemptions from taxation for a period of ten years.

H. 1130. To encourage the manufacture of calcium cyanamid (lime nitrogen) in this State, by exemptions from taxation for a period of ten years.

H. 935. To amend section 22 of an act entitled "An act to establish the city court of Bessemer."

H. 1322. To provide for compulsory pilotage on all vessels and craft crossing the outer bar of Mobile bay, except vessels engaged in American coast-wise trade, and to repeal all laws in conflict herewith.

Cyrus B. Brown,
Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read at length by the secretary, signed the above House bills, the titles of which are set out in the foregoing message from the House, the reading at length of said bills having been dispensed with, by a two-thirds vote of a quorum of the Senate present.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in the Senate amendment to the following House bills:

H. 1046. To amend section "two" of an act to constitute the city of Anniston a separate school district and to provide a board of education.

H. 810. To establish a board of revenue for Houston county.

Cyrus B. Brown,
Clerk.

RECESS.

The hour of 5 o'clock p. m. having arrived, the Senate took a recess until 8 o'clock tonight.

NIGHT SESSION.

July 26th, 1907.

The Senate reassembled pursuant to adjournment.

A quorum was present.

UNFINISHED BUSINESS.

The pending question being the adoption of the amendment offered by Mr. Lusk to:

S. 604. To amend section 1 of an act entitled an act, "To define and prohibit the unlawful giving, issuing, using or receiving free passes, rebates, reductions or discounts for transportation by common carriers of passengers and to punish the unlawful giving, using or receiving the same," approved Feb. 14, 1907.

Said amendment being as follows: "Striking out the words U. S. Marshals and their deputies where they appear."

Mr. Blackmon moved to lay Mr. Lusk's amendment on the table, which was lost, and said amendment was adopted.

Ayes, 23; nays, 4.

Yeas :

Messrs :

Barbour	Hayes	McWhorter	Strother
Bayles	Heacock	Overton	Teasley
Forrester	Horton	Reese	Thomas
Gardner	Lusk	Reid	Wilson
Gunn	Merritt	Reynolds	Wimberly.
Hamner	Miller	Spragins	

—23

Nays :

Messrs :

Blackmon	Jones	King	Moody
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—4.

And the bill as thus amended, was read a third time at length and passed.

Yeas, 13; nays, 12.

Yeas :

Messrs :

Barbour	Forrester	Overton	Teasley
Bayles	Horton	Reese	Thomas
Blackmon	Jones	Reid	Wimberly
Doster			

—13.

Nays :

Messrs :

Gardner	Hayes	Miller	Reynolds
Gunn	Lusk	Moody	Strother
Hamner	Merritt	McWhorter	Wilson

—12.

ADJOURNMENT.

The hour of 10 o'clock having arrived the Senate adjourned to meet Monday, July 29, 1907.

FORTY-SIXTH DAY.

Monday, July 29, 1907.

The Senate met pursuant to adjournment.

PRAYER.

Prayer was offered by the Rev. Mr. Malone, of the House.

ROLL CALL

Yeas:

Messrs:

Barbour	Hamburger	Lowe	Reynolds
Bayles	Hamner	Lusk	Spragins
Blackmon	Hayes	Merritt	Strother
Davis	Heacock	Miller	Teasley
Doster	Hinson	Moody	Thomas
Forrester	Horton	McWhorter	White
Gardner	Jones	Overton	Wilson
Glenn	King	Reese	Wimberly
Gunn	Leith	Reid	

—35.

JOURNAL.

Upon the motion of Mr. Barbour, the reading of the journal was dispensed with and approved.

PRIVILEGES OF THE FLOOR

Privileges of the floor for the day were extended to the Hon. S. J. Bowie, F. E. Blackburn, R. B. Kelly and E. M. Bishop.

NOTICE.

Notice is hereby given that on the next legislative day motion will be made to take Senate bill 31 from the adverse calendar. (Relates to establishing office of commissioner of public roads and highways.)

Reynolds.

INTRODUCTION OF BILLS.

On a call of the districts, bills were introduced, read one time and referred to appropriate standing committees as follows:

By Mr. Lusk, (by request):

S. 635. To amend sections 426, 427, 431, 434, and 456 of the Code of 1896.

Judiciary.

By Mr. Jones:

S. 636. To abolish capital punishment in the State of Alabama.

Judiciary.

By Mr. Reese:

S. 637. For the payment of the expenses of the Legislature and executive and judicial officers of the State in attending the funeral of the late Senator Pettus.

Finance and Taxation.

By Mr. Thomas:

S. 638. To provide for the payment of expenses incurred by the door-keeper of the Senate and the door-keeper of the House.

Finance and Taxation.

REPORTS OF COMMITTEES.

Mr. Bayles, chairman of the standing committee on Revision of Laws, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:

H. 1085. To amend an act to establish a State livestock sanitary board and the office of State veterinarian in order to further protect livestock from contagious and infectious diseases and provide for eradicating and excluding such diseases from Alabama, approved March 12th, 1907.

Also,

S. 633. To regulate the taxing of dogs in Madison county, Alabama, and for the protection of sheep, cattle, horses, swine and other live stock in said county; to

provide penalties for its violation; to repeal all laws in conflict.

Mr. Miller, chairman of the standing committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:

H. 1028. To repeal section 82 of an act to further amend the revenue laws of the State of Alabama, approved March 7th, 1907.

Also,

H. 1339. To exempt from taxation all property of any person, firm or corporation who has heretofore patented and owns exclusively or has heretofore secured and owns exclusively, or who shall hereafter patent and own exclusively, or who shall hereafter secure and own exclusively the patent right, on any article designed for the purpose of protecting human life and property, and which has not heretofore been manufactured for sale except such property as is devoted exclusively to the manufacture of such article, and to exempt from taxation the stock held by stockholders of such corporation.

Also,

H. 1310. To make an appropriation for the payment of sundry balances and to provide for the completion of the improvements on the State capitol building.

Also,

H. 1323. To appropriate fifteen hundred dollars for the purpose of furnishing and equipping the office of mine inspectors of this State with necessary and suitable furniture, apparatus, machines and all other necessary instruments.

Also,

H. 1359. To provide for refurnishing and in keeping in repair the State capitol and the several offices therein, and to provide for the improvement and keeping in order the State capitol grounds.

Also,

H. 1083. To make an appropriation for furnishing and equipping certain of the offices and departments in the State capitol.

Also,

H. 1019. To fix the salary of the judge of the city court of Talladega county and to provide for payment of the same.

Also,

H. 1356. For the relief of John Milford, an ex-confederate soldier, being a resident of Chilton county, Alabama.

Mr. Merritt, chairman of the standing committee on Local Legislation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:

S. 629. To amend an act entitled "an act to establish a board of revenue for Jefferson county, and for the abolishment of the court of county commissioners of said county."

Also,

S. 632. (With amendment.) "To provide for the construction, repairing, working, making, maintaining, and protection of the public roads of Geneva county, and to provide for the levying of the tax for the same, and for punishing road defaulters, and prescribing the duties of the commissioners' court with reference to said work, and for the punishment of violations of orders made by the commissioners' court."

Also,

H. 1209. To give to certified transcripts of validly executed instruments not properly acknowledged or proved, but that have been of record for twenty years, the same force and effect as transcripts of like instruments duly acknowledged and recorded.

Also,

H. 1054. To require the court of county commissioners of Marion county, Alabama, to use two mills each year of the two and one-half mills now used for bridges for the improvement of the public roads of the county through a public road superintendent or superintendents to be appointed by said court of county commissioners which court shall fix their compensation to be paid out of the said funds; to allow all persons subject to road duty in said county to pay \$5.00 instead of working the

ten days now required; and to provide how and when this law shall go into effect.

Also,

H. 1293. (With amendment.) To allow the selling or otherwise lawfully disposing of lager beer by the proprietor, or manager, of the Park hotel to be erected at ~~Montrose~~ in Baldwin county.

Also,

H. 1321. To repeal sections 4, 5, 6, and 8 of an act entitled an act to "better provide for working the public roads in the counties of Baldwin, Escambia and Monroe, approved February 9th, 1901," in so far as the same applies to the county of Monroe, and to amend section twelve of said act and further regulate the working of the public roads in Monroe county.

Also,

H. 1196. To amend section thirteen of an act to establish, maintain and regulate a dispensary in the town of Marion, Perry county, Alabama, for the sale of spirituous or vinous liquors, malt liquors, wines, ciders, or other intoxicating liquors and to establish a board of directors for the purpose of better controlling and managing the sale of spirituous or vinous liquors, malt liquors, wines, ciders or other intoxicating liquors and for other purposes, approved February 28, 1901.

Also,

H. 938. (With amendment.) To alter or rearrange the boundary lines of the city of Bessemer, Jefferson county, Alabama.

Also,

H. 1184. To amend an act entitled an act to prevent the running at large of stock in certain portions of Elmore county, approved February 18th, 1891.

Also,

H. 1081. To authorize and empower the commissioners court of Tallapoosa county to fix and regulate the tolls to be charged by the owners of the bridge across the Tallapoosa river at Tallassee, Alabama, for the use of said bridge by passengers and for vehicles, and for traffic, and for whatsoever may pass over the same, and to provide for the enforcement of such rates of toll, and

to prescribe penalties for collecting, demanding or receiving tolls in excess of said rates fixed by said court of county commissioners.

Also,

H. 1194. (With amendment.) To establish, maintain and regulate a dispensary in the city of Uniontown, county, Alabama, for the sale of spirituous, vinous liquors or malt liquors, wines, ciders or other intoxicating liquors, and to establish a board of directors for the purpose of better controlling and managing the sale of spirituous or vinous liquors, malt liquors, wines, ciders or other intoxicating liquors; to provide for the distribution of the profits from the sale of said liquors in said dispensary between said city and said county, and for other purposes.

Also,

H. 625. (With amendment.) To provide for and regulate the working of the public roads in Tallapoosa county, Alabama, and to punish defaulters who fail or refuse to work said roads.

Also,

H. 656. (With amendment.) To create and establish the Marengo law and equity court for Marengo county.

Mr. Reynolds, chairman of the standing committee on Education, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report:

H. 949. To create a text-book commission, and to procure for the use in the public schools of this State a uniform series of text-books; to define the duties and powers of said commission; to make an appropriation for the carrying into effect this act, and to provide punishment and penalties for the violation of same.

Mr. Wilson, chairman of the standing committee on Mining and Manufacturing, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report:

H. 592. To prohibit the employment of any person to labor in or about any cotton factory in this State for more than ten hours a day.

Mr. McWhorter, chairman of the standing committee on Temperance, reported that said committee, in session, ~~had acted on the following bills and ordered same returned to the Senate with a favorable report:~~

H. 1362. To establish a dispensary in and for the town of "Floral" in the county of Covington, State of Alabama, and to provide for the conduct and regulation of the same.

Also,

H. 854. To prohibit the sale, barter or exchange, giving away, lending, delivering, or otherwise disposing of any spirituous, vinous or malt liquors, intoxicating beverages, bitters, beers, "hop jack," or intoxicating proprietary medicine of any kind, except upon the written prescription of a practicing physician, within one and one-half miles of "Bethel" Methodist Episcopal Church South, situated at Dolceto, in precinct (11) eleven, Jefferson county, Alabama.

Also,

H. 869. To authorize the town of Enterprise in Coffee county, Alabama, to buy and sell spirituous, vinous and malt liquors, and to regulate the sale thereof.

Also,

H. 1238. To regulate dispensaries now operated, or which may be operated by municipalities in the county of Geneva; to prescribe and fix a license on each dispensary in addition to that already imposed under the general law; to provide for the payment of such license fee to the judge of probate of Geneva county, and to give the court of county commissioners power to disburse the fund created by such licenses, at its discretion, either in building, repairing or furnishing school houses and buildings exclusively for rural districts of Geneva county, or for repairing the public roads of Geneva county, or for supplementing pensions to pensioners of the first class, or for all said purposes, and to provide a penalty for the failure to pay such license.

The foregoing bills contained in said committee reports were severally read a second time and placed upon the calendar.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following House joint resolution:

H. J. R. 288. Joint resolution instructing our Senators and requesting our Representatives in Congress to use their influence to have money appropriated to open and clean out the Cahaba river to navigation of flat boat and barges from the Alabama river to Centreville in Bibb county, Alabama; also to make a survey of the Cahaba river from Centreville, Alabama, to the mouth of Schultz creek to such point up said creek as the surveyors may deem expedient for the purpose of locking and damming same. Whereas, the Cahaba river has been by Congress declared a public waterway from its mouth to Centreville, in Bibb county, Alabama, and was for many years navigated by steamboats and barges. And whereas said stream has become unnavigable by reason of a few shoals and large deposits of drift wood and debris formed by suction of matter from beneath such drift; and whereas, the opening of the Cahaba river and its said tributary would be of incalculable value to the country contiguous thereto as well as to the United States in the way of transportation of coal, iron, etc., therefore, resolved by the House, the Senate concurring, that our Senators and Representatives in Congress be and they are hereby requested to use their most earnest efforts to secure a donation of money from the Federal Government to aid in cleaning and deepening said Cahaba river from its mouth to Centreville in Bibb county, Alabama, and to surveying, locking and damming of said Cahaba river from said Centreville up to Schultz creek and to the surveying, locking and damming of said Schultz creek from its mouth up said creek to some point to be designated by the surveyor.

And sends the same herewith to the Senate.

And has adopted the following House joint resolutions:

By Mr. Goodwyn:

H. J. R. 316. Be it resolved by the House of Representatives, the Senate concurring, that upon the approval of the municipal code bill by the governor, that the ~~secretary of State~~ be and he is hereby directed to have two thousand copies of the bill printed for free disposition to the members of the Legislature and the several cities and towns in the State. That each member of the House and Senate be allowed five copies.

And sends the same herewith to the Senate.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

The Senate concurred in House joint resolutions No. 288 and 316 set out in above and foregoing message from the House.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bills:

H. 1347. To allow the circuit clerk of Lamar county an assistant clerk.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that a bill will be introduced in the Legislature at the July, 1907, session to enact a law to allow the clerk of the circuit court of Lamar county, Alabama, an assistant or deputy clerk during the terms of the circuit court, who shall be paid in the same way and at the same rate that court bailiffs are paid.

The State of Alabama, }
 Lamar County. }

Personally appeared before me, R. E. Bradley, circuit clerk in and for said county and State, C. S. McDougal, who, being duly sworn by me, deposes and says that he is the publisher and printer of the Lamar Democrat, a newspaper published in Vernon, Lamar county, Alabama.

Affiant further deposes and says that the hereto attached advertisement was published in said Lamar Democrat for 4 consecutive weeks prior to this date, and that the price charged is the actual lowest regular price charged for such advertisement, and that there is no agreement between the publisher and the said officer whereby any advantage, gain or profit is to accrue to him.

C. S. McDougal,
 Publisher Lamar Democrat.

Sworn to and subscribed before me, this 17th day of July, 1907.

R. E. Bradley,
 Clerk of the Circuit Court.

H. 1372. To fix the time when the tax collector and tax assessor of Walker county shall begin the round and to visit the several precincts of said county for the purpose of assessing and collecting taxes.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE OF BILL.

There will be introduced at the adjourned session of the Legislature of Alabama, which reconvenes July 9th, 1907, a bill substantially as follows:

A BILL

To be entitled an act, to repeal an act requiring the tax collector and tax assessor to make the first round, visiting all the voting precincts in the county for the purpose of collecting and assessing State and

county taxes, in so far as the same applies to Walker county.

Section 1. Be it enacted by the Legislature of Alabama, That on and after the passage of this act the tax collector and tax assessor will not be required to make the first round visiting the various precincts of the county for the purpose of collecting and assessing State and county taxes, in so far as the act applies to Walker county.

Sec. 2. Be it further enacted by the Legislature of Alabama, That all the laws and parts of laws in conflict with this act be and the same are hereby repealed.

The State of Alabama, }
Walker County. }

Before me, E. W. Long, clerk of the circuit court in and for said county and State, personally appeared W. R. Richardson, who, being duly sworn, deposes and says that he is the manager of the Mountain Eagle, a weekly newspaper published in said county; that the attached notice, "To repeal an act requiring the tax collector and tax assessor to make the first round, visiting all the voting precincts of the county for the purpose of collecting and assessing State and county taxes, in so far as the same applies to Walker county," was published in said newspaper once a week for four consecutive weeks, commencing on 12th day of June, 1907, and ending on the July 3rd, 1907.

W. R. Richardson,
Manager Mountain Eagle.

Sworn to and subscribed before me this 17th day of July, 1907.

E. W. Long,
Clerk Circuit Court.

H. 1365. For the relief of B. H. Worthy, of Clay county, to validate warrants in the sum of \$29.15 held by him against the road and bridge fund of said county, and to authorize the county treasurer of said county to pay said warrants.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
 Clay County. }

Before me, Mae Bell Smith, a notary public in and for said State and county, personally appeared Walter S. Smith, who, being duly sworn, deposes and says that he is the editor of The Lineville Headlight, a newspaper published each week at Lineville, Clay county, Alabama, and that the notice hereto attached has been published for four consecutive weeks in said paper prior to this date.

Walter S. Smith,
 Editor The Lineville Headlight.

Sworn to and subscribed before me this 16th day of July, 1907.

Mae Bell Smith,
 Notary Public.

Notice is hereby given that a bill will be introduced in the adjourned session of the Legislature of 1907 authorizing and requiring the county treasurer of Clay county to pay B. H. Worthy \$29.15 on warrants for services rendered under an act to provide for the construction, repairing, working and maintaining the public roads and bridges of Clay county, approved September 23, 1903, and held invalid by the courts.

H. 1345. To amend sections 5 and 7 of an act entitled "An act to provide and establish a stock law for Lamar and Fayette counties," so far as the same relates to Browns' precinct, No. 4, in Lamar county.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE OF PROPOSED LEGISLATION.

An act to amend sections 5 and 7 of an act entitled "An act to provide and establish a stock law for Lamar and Fayette counties," so far as the same relates to Browns' precinct, No. 4, in Lamar county.

Section 1. Be it enacted by the Legislature of Alabama, That section 5 of said act be amended so as to

read as follows: That if a majority of the votes cast be "Stock Law, Yes," it shall be unlawful for any stock to run at large in Browns' precinct, No. 4, and if a majority of the votes cast be "Stock Law, No" it shall not be unlawful for stock to run at large in said precinct. Provided, that the result of said election shall not take effect until sixty days after such election is held.

~~Section 2. Be it further enacted, That section 7 of~~
said act be amended so as to read as follows: That it shall be lawful for an election to be held in Browns' precinct, No. 4, of Lamar county, Alabama, at any time after the passage of this act, under the same rules and regulations prescribed in sections 1, 2, 3 and 4 of said act for holding such elections.

The State of Alabama,)
Lamar County.)

Before me, R. L. Bradley, judge of the probate court in and for said county, personally appeared C. S. McDougal, who, being duly sworn, says that he is the editor and general manager of Lamar Democrat, and that the above notice of the proposed legislation has been published in his paper for four (4) consecutive weeks, which paper is published in Lamar county, Alabama, and is a weekly paper.

C. S. McDougal.

Sworn to and subscribed this the 17 day of July, 1907.

R. L. Bradley,
Judge of Probate.

H. 1341. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, intoxicating bitters, cordials, or other intoxicating drinks or beverages within four miles of Pleasant Home Missionary Baptist church, Siloam Missionary Baptist church or Ivey Creek public school house, all in Crenshaw county, Alabama, to provide for the time when it shall be in force and to fix the punishment for the violation thereof.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Is hereby given that the following is the substance of a bill that will be introduced in the Legislature in July and passed:

A BILL

To be entitled an act to prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, intoxicating bitters, cordials or other intoxicating drinks or beverages within four miles of Pleasant Home Missionary Baptist church, Siloam Missionary Baptist church and Ivey Creek public school house, all in Crenshaw county, Alabama, and to provide the time when it shall be in force, to fix the punishment for the violation thereof.

Section 1. Be it enacted by the Legislature of Alabama, That on and after the approval of this act it shall be unlawful for any person, firm or corporation to sell, give away or otherwise dispose of spirituous, vinous or malt liquors, intoxicating bitters, cordials, or other intoxicating drinks or beverages within four miles of Pleasant Home Missionary Baptist church, Siloam Missionary Baptist church and Ivey Creek school house, all in Crenshaw county, Alabama.

Sec. 2. Any person, firm or corporation violating any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be fined for each offense not less than twenty-five or more than one hundred dollars and may also be sentenced to hard labor for the county for not less than thirty days nor more than six months; provided, that nothing herein contained shall be so construed as to prevent the use of wine in churches for communion purposes.

The State of Alabama,)
Crenshaw County.)

Personally appeared before me, M. N. Rushton, a notary public in and for said county, W. B. Howard, who, being duly sworn, says on oath that he is the editor and publisher of the Crenshaw County Critic, a newspaper

published in said county, and that notice and substance of a bill to prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, intoxicating bitters, cordials, or other intoxicating drinks or beverages within four miles of Pleasant Home Missionary Baptist church, Siloam Missionary Baptist church and Ivey Creek public school house, all in Crenshaw county, a copy of which is hereto attached, was published in said Crenshaw County Critic once a week for four consecutive weeks before this date. This 18th day of July, 1907.

W. B. Howard.

Subscribed and sworn to before me this 18th day of July, 1907.

M. N. Rushton,

H. 1215. For the relief of J. W. T. Abernathy, an ex-confederate soldier of Chambers county.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE OF SPECIAL LAW.

Notice is hereby given that a bill will be introduced in the Legislature of Alabama, when it meets in July, 1907, requiring the probate judge of Chambers county to place or cause to be placed the name of J. W. T. Abernathy on the pension list of the ex-confederate soldiers of the county, and to be continued on the list of pensioners from year to year in class No. 3.

May 20th, 1907.

34-4w

The State of Alabama, {
Chambers County. }

S. H. Oliver, being duly sworn, deposes and says that he is the proprietor and publisher of the LaFayette Sun, a weekly newspaper published at LaFayette, in Chambers county, Alabama, and that the foregoing notice of a special law relating to a pension for J. W. T. Abernathy, has been published in the LaFayette Sun for four consecutive weeks, beginning with the issue of said paper for May 20, 1907.

S. H. Oliver.

The State of Alabama, }
 Chambers County. }

Before me, E. M. Oliver, a notary public in and for said county in said State, personally appeared S. H. Oliver, known to me, who being duly sworn, deposes and says that the facts stated in the foregoing affidavit are true.

E. M. Oliver,
 Notary Public.

H. 970. To prohibit the sale, giving away, or otherwise disposing of beer, whiskey, or other intoxicating drinks or beverages within one mile of the Barkersville Baptist church, at Pritchard, in Mobile county, Alabama, and provide a penalty for a violation of this act.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
 Mobile County. }

Personally appeared between me, William P. Burgett, a notary public, in and for said State and county, Thomas B. Allman, who on oath deposes and says that he is the cashier of the Herald Publishing Company; that said company publishes the Mobile Daily Herald, which is a newspaper published in the city and county of Mobile; that the subjoined advertisement was published in said newspaper once each week for four consecutive weeks, as required by section 106 of the constitution, that is to say:

NOTICE.

Notice is hereby given that application will be made at the present Legislature of Alabama to re-convene in July, 1907, for the passage of an act to prohibit the sale, giving away, or otherwise disposing of beer, whiskey or other intoxicants, within one mile of Barkersville Baptist church, at Prichard, Mobile county, Ala.

Thomas B. Allman.

Subscribed and sworn to before me this 29th day of
June, A. D., 1907.

Wm. P. Burgett,
Notary Public, Mobile County, Ala.

H. 1234. To authorize and direct the court of county commissioners of Crenshaw county to pay for advertising the notice and substance of local bills introduced in the Legislature for said county, out of any money in the treasury not otherwise appropriated, when the bill applies to the entire county and ordered published by the Representative of said county, and this act shall apply to and include the notice and substance of bills advertised at and during the present session of the Legislature.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

Notice is hereby given that the following bill will be presented for enactment into law by the Legislature of Alabama, at the session beginning Jan. 8, 1907:

A BILL

To be entitled an act to direct the court of county commissioners of Crenshaw county to pay for advertising ordered by the present and future Representatives in the Legislature from said county.

Section 1. Be it enacted by the Legislature of Alabama. That the court of county commissioners of Crenshaw county, Alabama, be and are hereby directed to pay the advertising bills created by the present and future Representative of said county in accordance with the constitutional provision requiring notice to be given before local legislation can be enacted into law.

The State of Alabama,)
Crenshaw County. }

Personally appeared before me, M. N. Rushton, a notary public in and for said county, W. B. Howard, who, being by me duly sworn, says on oath that he is the editor and publisher of the Crenshaw County Critic, a

newspaper published in said Crenshaw county, and that the notice of and substance of a bill, to direct the court of county commissioners of Crenshaw county to pay for advertising ordered by the present and future Representatives from said county, a copy of which notice and substance of the bill is hereto attached, was published in the Crenshaw County Critic once a week for four consecutive weeks before this date. This 12th day of July, 1907.

W. B. Howard.

Subscribed and sworn to before me this 12th day of July, 1907.

M. N. Rushton,
Notary Public.

H. 1377. To provide for the construction, repairing, working and maintaining of the public roads of Henry county, Alabama, and to provide for the levying a special property and per capita tax for same, and for the punishment of defaulters.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Henry County. }

Before me, R. W. Miller, a notary public in and for said county, said State, personally appeared J. R. Epssey, who, being duly sworn by me, deposes and says, that he is the owner, the editor and the manager of the Abbeville Times, a weekly newspaper published on every Thursday in the town of Abbeville, in said county and State; that the notice hereto attached, or pasted on this sheet and made a part of this affidavit, was published in his said paper for four successive weeks, on, to-wit, the 18th day of July, the 11th day of July, the 4th day of July and the 27th day of June, 1907.

NOTICE.

The State of Alabama, }
 Henry County. }

Notice is hereby given that there will be introduced in the Legislature of Alabama, when said body reconvenes on July 9, 1907, for the completion of the present term, a bill which shall provide:

1st. For the constrution and better working, repairing and maintaining of the public roads of Henry county, Ala.

2nd. For the appointment or election of a general supervisor of said public roads, prescribe the duties and terms of office of said supervisor, and provide for his pay.

3rd. For the commissioners' court to furnish the necessary tools, road implements and machinery, wagons, mules and teams suitable for the proper construction, working, repairing and maintaining of said public roads, and to pay for same out of the proper funds of the county.

4th. For the payment by all male persons in said Henry county who are over twenty-one and under fifty years of age, of an annual per capita road tax of \$3.00 each, and the mode of collecting the same.

5th. For the levying by the commissioners' court of a road and bridge tax of one-fourth of one per centum on all the taxable property in said county.

6th. For the commissioners' court in defraying the expenses of properly constructing, working, repairing and keeping up the public roads and public bridges and culverts of said Henry county, to expend first, the funds arising from the capita tax, and the fund arising from the one-fourth of one per centum road and bridge tax; and if said funds be insufficient to keep said roads and bridges in good condition, then said commissioners' court shall expend thereon such amount of the general fund of the county as may be necessary to keep said roads and bridges in proper repair for the convenience and interest of the public.

(Signed) J. R. Epsey.

Sworn to and subscribed before me, on this the 20th day of July, 1907.

R. W. Miller,
Notary Public.

H. 997. To amend section fourteen (14) of an act entitled an act, to provide for the more efficient working and keeping in repair the public roads of Morgan county; and to locate, construct, repair and keep in proper condition within the limits of said county a system of public roads of a superior grade, to be known as the county roads of said county, approved February 28th, 1901.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Morgan County. }

Before me W. E. Skeggs, judge of probate, in and for said State and county, personally appeared H. E. Hildreth, owner of the New Decatur Advertiser, who, on oath, deposes and says, that the New Decatur Advertiser, is a newspaper published in the city of New Decatur, Alabama, that the following notice, viz:

NOTICE OF AN ACT.

A bill to be entitled an act, to amend section fourteen (14) of an act, entitled an act, to provide for the more efficient working and keeping in repair the public roads of Morgan county; and to locate, construct, repair and keep in proper condition within the limits of said county, a system of public roads of a superior grade, to be known as the county roads of said county, approved February 28th, 1901.

Section 1. Be it enacted by the legislature of Alabama, That section fourteen (14) of said act be amended so as to read as follows: That for their services rendered under the provisions of this act, the road supervisors, may receive the sum of one hundred and fifty dollars (\$150.00) each, per annum, payable quarterly, and the further sum of three dollars (\$3.00) per day,

for locating, constructing grading, macadamizing and contracting for building and repairing bridges and contracting for building and repairing bridges and culverts, to be paid by the county commissioners court, upon an itemized account verified by an affidavit.

Was duly published in said newspaper on June 13, 1907, June 20, 1907, June 27, 1907, and July 4, 1907, being once a week for four consecutive weeks as required by law.

H. E. Hildreth.

Sworn to and subscribed to before me this the 6th day of July, 1907.

Wm. E. Skeggs,
Judge of Probate.

H. 1379. To repeal an act to regulate the salaries of teachers in public schools outside of any incorporated towns in Walker county, Alabama, approved March 5th, 1901.

And sends same to the Senate with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that application will be made to the present session of the Legislature of Alabama to enact a law, in substance of follows:

A BILL

To be entitled an act to repeal an act to regulate the salaries of teachers in public schools outside of any incorporated towns in Walker county, Alabama, approved March 5, 1901.

Be it enacted by the Legislature of Alabama:

Section 1. That an act to regulate the salaries of teachers in public schools outside of any incorporated towns in Walker county, Alabama, approved March 5, 1901, be and the same is hereby repealed.

Sec. 2. That this act become effective on its passage.

T. J. Lamar,
R. A. O'Rear,
G. G. Bagwell,
W. H. Johnston.

The State of Alabama, }
Walker County. }

Before me, E. W. Long, clerk of the circuit court in said county, personally appeared J. W. Young, who, being duly sworn by me, deposes and says that he is editor of The Walker County News, which is a newspaper published in Walker county, Alabama, and that the attached notice to repeal an act to regulate the salaries of teachers outside of any incorporated towns in Walker county, Alabama, approved March 5th, 1901, was published in said paper for four consecutive weeks beginning Jan. 24th, 1907.

J. W. Young.

Sworn to and subscribed before me July 22, 1907.

E. W. Long,
Clerk Circuit Court.

H. 977. To authorize the board of revenue and road commissioners of Mobile county to issue bonds for the purpose of improving the harbor and river front at Mobile, Alabama.

And sends same to the Senate with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Mobile County. }

Personally appeared before me, C. H. Costello, a notary public, in and for said State and county, Thomas B. Allman, who on oath deposes and says that he is the cashier of the Herald Publishing Company; that said company publishes the Mobile Daily Herald, which is a newspaper published in the city and county of Mobile; that the sub-joined advertisement was published in said newspaper, once each week for four consecutive weeks, as required by section 106 of the constitution, that is to say:

NOTICE.

Notice is hereby given that application will be made to the Legislature of Alabama at the next regular ses-

sion thereof, to be held in January, 1907, for the passage of an act, requesting the Legislature to authorize the county of Mobile to issue bonds for the improvement of the harbor of Mobile.

Thos. B. Allman.

Subscribed and sworn to before me this 6th day of July, A. D., 1907. C. H. Costello.

Notary Public, Mobile Co., Ala.

H. 1242. To establish an inferior court in precinct 45, in Jefferson county, Alabama, in lieu of all justices of the peace, and notaries public, with powers of justices of the peace, in said precinct, and to define the jurisdiction and powers of said court and of the judges thereof.

And sends same to the Senate with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Jefferson County. }

Before me, Hinds Peevey, a notary public in and for said State and county, personally appeared Frank Willis Barnett, who, being duly and legally sworn, deposes and says that he is the manager of the advertising department of the Alabama Baptist; that the Alabama Baptist is a newspaper published in the city of Birmingham, Jefferson county, Alabama; that the notice, a copy of which is hereto attached, was inserted, published and appeared regularly in the said Alabama Baptist, in said Jefferson county, Alabama, once a week for four consecutive weeks, without cost to the State of Alabama.

Frank Willis Barnett.

Sworn to and subscribed before me this 11th day of July, A. D., 1907.

Hinds Peevey,
Notary Public.

My commission expires May 15th, 1909.

To Whom it May Concern:

Notice is hereby given that a bill will be introduced at the present session of the Legislature of Alabama, the substance of which is to be to create a court of inferior jurisdiction in precinct forty-five of Jefferson county, Alabama, in lieu of all justices of the peace and notaries public, who are ex-officio justices of the peace, to provide for a judge of said court, defining its jurisdiction, appointment of clerk, prescribing salaries for compensation of said judge and clerk and the payment of the expense of said court by Jefferson county, Alabama; defining the duties of the sheriff and auditor of said county and of the constable of said precinct in relation of said court.

F. D. Smith.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGES.

The House bills in the foregoing House messages were severally read once and referred to appropriate standing committees as follows:

H. 1347, 1372, 1345, 1234, 1377, 997, 977, 1242, to Local Legislation.

H. 1365, 1215, to Finance and Taxation.

H. 1341, 970, to Temperance.

H. 1379, to Education.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended, as therein shown, and as amended has passed the following Senate bills:

S. 527. To provide for the payment of witnesses before the grand juries and State witnesses in all criminal cases, and fees of the sheriff of the county of Montgomery and the clerks of the city court of Montgomery and the county court in and for said county, in criminal cases where the State fails to convict, out of the general fund of Montgomery county; and provide compensa-

tion for the clerk of the board of revenue for services required of him under this act.

And returns same herewith to the Senate.

S. 512. To confer equity jurisdiction upon the circuit courts in Walker and Winston counties; to prescribe the times of calling the equity dockets in the circuit court in said counties, and to provide a register for said courts.

And returns same herewith to the Senate.

S. 402. To provide for the holding of a term of the circuit court of the Fifth judicial circuit of Coosa county, at Goodwater and to regulate the same.

And returns same herewith to the Senate.

S. 479. To provide for the more efficient working of the public roads in Mobile county, and certain streets and public thoroughfares in the city of Mobile; provide for the control, working, building, maintenance and improvement of the same by the board of revenue and road commissioners of Mobile county; to prescribe the duties and fix the authority of said board; provide for the levy and collection of a road tax, and the method of disbursing moneys necessary to carry out the provisions of this act, and provide penalties for violations of its provisions.

And returns same herewith to the Senate.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

The Senate concurred in the House amendment to Senate bill 527, the title to which is set out in the above and foregoing message from the House, said amendment being as follows, to-wit:

Amend S. B. 527 by adding at the end of section one of said bill the following:

Provided that the witness fees shall be one dollar per day and five cents per mile under the provisions of this act.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Bayles	Hayes	Merritt	Reynolds
Davis	Heacock	Miller	Spragins
Doster	Horton	Moody	Strother
Forrester	Jones	McWhorter	Teasley
Gardner	Leith	Overton	Thomas
Glenn	Lowe	Reese	White
Gunn	Lusk	Reid	Wilson
Hamner			

—29.

And has concurred in the House amendments to Senate bill 512, the title to which appears in the foregoing message from the House, said amendment being as follows:

Amend section 3 by striking out of line 2 of Sub. 1, the words, (3rd Monday) and insert in lieu thereof the words (2nd Monday). And by striking out of line 2 of Sub. 2 of said Sec. 3 the words (4th Monday) and insert in lieu thereof the words (3rd Monday).

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Merritt	Reid
Doster	Heacock	Miller	Reynolds
Forrester	Horton	Moody	Spragins
Gardner	Jones	McWhorter	Strother
Glenn	Leith	Overton	Teasley
Gunn	Lowe	Reese	Wilson
Hamner	Lusk		

—26.

And concurred in the House amendment to Senate bill No. 402, the title to which appears in the foregoing message from the House, said amendment being as follows:

Amend section 1 as amended so as to read as follows:

Section 1. Be it enacted by the Legislature of Alabama, That there shall be held a term of the circuit court of the Fifth judicial circuit, or any other circuit in

which Coosa county may be by any past or future act of the Legislature of Alabama, at Goodwater in Coosa county, commencing on the twelfth Monday after the fourth Monday in February and August in each year and may continue two weeks.

Amend section 10 as amended by striking out the following words, to-wit: "Third Monday in August, 1907" and insert in lieu thereof the following: "Twelfth Monday after the fourth Monday in August, 1907."

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Lowe	Reynolds
Bayles	Heacock	Lusk	Spragins
Doster	Hinson	Moody	Strother
Gardner	Horton	McWhorter	Teasley
Glenn	Jones	Reese	White
Gunn	King	Reid	Wilson
Hamner	Leith		

—26.

And concurred in the House amendment to Senate bill No. 479, the title to which appears in the foregoing message from the House, said amendment being as follows:

Amend section 2 by making same read that the salary "of said superintendent" shall be fixed by said board, but the same shall not be less than eighteen hundred dollars per annum.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Barbour	Heacock	Lusk	Reynolds
Bayles	Hinson	Merritt	Spragins
Doster	Horton	Miller	Strother
Glenn	Jones	Moody	Teasley
Gunn	Leith	McWhorter	White
Hamner	Lowe	Reese	Wilson

—25.

RECOMMITTAL OF BILL.

On motion of Mr. Doster, House bill No. 1132:

H. 1132. To amend section 8 of an act entitled "An act to confer and limit the powers of business corporations and to provide for their compensation and regulation," approved October 2, 1903.

Was recommitted to the committee on Judiciary.

RESOLUTIONS.

Resolutions were offered as follows:

By Mr. Bayles:

S. R. 105. Resolved, that House bill 1085 be made a special, continuing and paramount order for 10:30 a. m. the next legislative day.

Which was referred to the committee on Rules.

By Mr. Hayes:

S. R. 104. Resolved, that Senate bill No. 507, (with substitute) be made a special, paramount, continuing order for Thursday, August the 1st, immediately after the reading of the journal.

Which was referred to the committee on Rules.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker of the House having signed the following House bills your signature thereto is requested:

H. 832. To vacate the dedication of all that part of Charles avenue lying north of the eastern line of Twelfth street as now located, between avenues "H" and "I" in the city of Birmingham, Jefferson county, Alabama, and which was dedicated as a public highway.

H. 1139. To repeal an act entitled "An act to better provide for the working and maintenance of the public roads in Chambers, Lamar, Lawrence, Lowndes, Clay and Cleburne counties," approved February 18th, 1899, so far as the same relates to Lamar county.

H. 990. To require the tax assessor and tax collector of Morgan county, Alabama, to make their round as required by law together, and providing notice of said round.

H. 1039. To authorize the court of county commissioners of Wilcox county to borrow money, not exceeding ~~one-half of the county revenue of said county per annum~~.

H. 971. To provide for the compensation of the solicitor of Mobile county to be elected in 1910, and his successors in office.

H. 965. To fix the times and place of holding the chancery court in the Eighth district of the Northern division, composed of the county of Madison.

H. 862. To provide for the payment of jurors in Clarke county, Alabama.

H. 950. To vacate and annul Stolenwerck avenue as shown on map of Village Land Company's survey in Jefferson county, Alabama, as a public street or highway, and to annul or extinguish the dedication thereof.

H. 917. To prohibit the sale or otherwise disposing of spirituous, vinous or malt liquors, intoxicating drinks, bitters or beverages in Dale county, Alabama.

H. 1004. To repeal an act entitled an act to establish and define the boundary lines of Spring Hill School district, Pike county, Alabama.

H. 1218. To fix the time for the election of the solicitor of Jefferson county.

H. 1219. To increase the salary of the solicitor of Jefferson county to the sum of four thousand five hundred dollars per annum and provide for the payment of said salary.

H. 1100. To prohibit the manufacturing of spirituous or malt liquors in Cherokee county.

H. 1089. To require one round to be made by the tax collector and tax assessor of Blount county for the purpose of assessing and collecting taxes, said round to begin the first Monday of November of every year.

H. 896. To repeal an act entitled an act to authorize the commissioners court of Butler county to order election for the establishment of districts in which stock shall be prevented from running at large.

H. 1009. To authorize the county of Russell to borrow money not exceeding the current revenue of said county, for any one year in the discretion of the court of county commissioners of said county.

H. 1042. To repeal an act entitled an act to increase the number of grand and petit jurors in Winston county, approved February 7th, 1885.

H. 713. For the relief of L. W. Kolb, to refund certain moneys illegally collected from him in Dale county, as State license.

H. 1010. To ratify and confirm the acts and contracts of the court of county commissioners of Russell county, or other authorized agents of said county in borrowing money for the use and benefit of said county and to ratify and confirm the warrants given on said contracts for money so borrowed.

H. 884. To authorize the board of mayor and aldermen of the city of Tuscaloosa to maintain or contribute to the maintenance of a wagon yard or lot in the city of Tuscaloosa, for the benefit of the public, and to prescribe rules for the government of same, and to pay out of the general funds of the city such sums of money as the said city board deems necessary for the maintenance or part maintenance, of said wagon yard or lot.

H. 1038. To authorize the court of county commissioners of Wilcox county, to purchase or acquire three or more ferries along the Alabama river in said county. To operate and maintain same for the public use.

H. 885. To amend an act entitled "an act to prohibit the sale, giving away or disposing of spirituous, vinous or malt liquors or any intoxicating bitters or beverages within one mile of Old Mt. Zion Church, Barbour county," approved February 9th, 1897, and to provide a penalty for the violation of this act.

H. 899. To validate claims against Clay county, Alabama, for work and labor and material or supplies furnished said county under provisions of the recent Clay county road law, which has been declared unconstitutional and authorize the commissioners court to audit and allow such claims as preferred claims against the general fund of said county and direct payment of same.

H. 1298. To authorize and empower the court of county commissoiners of Butler county to contract for and place in the office of the various officers of said county, telephones, writing machines and other mechanical devices as in the opinion of the said court of county commissioners is necessary or expedient and to ~~contract for and place in the jail and poor houses of said~~ county such telephones as may be necessary.

H. 920. To amend section nine of an act entitled an act to authorize all incorporated towns and cities in Elmore county to establish and operate dispensary or dispensaries in such incorporated towns or cities, for the purpose of buying and selling spirituous, vinous or malt liquors, and to provide for the distribution of certain profits arising therefrom, and to further regulate or prohibit the selling of such liquors in such county, approved February 9th, 1907.

H. 951. To vacate and annul Fifth street between Second and Third avenues; Sixth street between Second and Third avenues; Third avenue between Fourth and Sixth streets; the alley extending north and south in block eleven, and the alley running east and west in block eleven in the Pratt Land and Improvement Company's survey of East Thomas, Jefferson county Alabama.

H. 1191. To provide that the sheriff of Butler county, Alabama, shall receive for "impaneling grand juries, advertising and attending all elections in his county, and for all other public service not otherwise provided for, such sum as may be allowed by the court of county commissioners, to be paid out of the county treasury, not exceeding five hundred (\$500.00) dollars per annum."

H. 1044. To alter or change the boundary line between the counties of Etowah and Calhoun, in the State of Alabama, and as altered to establish the same.

H. 1053. To alter and rearrange the boundaries of the town of Pollard, extending the corporate limits of said town.

H. 934. To repeal an act entitled "an act to provide for the establishing of a separate school district to

be known as the North Birmingham District in Jefferson county, Alabama, and to provide for the selection a board of trustees for said school district with certain duties and powers," approved March 4th, 1901.

H. 1018. To authorize an election in the county of Talladega to determine whether or not bonds in the sum of two hundred and fifty thousand dollars shall be issued by said county for the purpose of building macadam, chert and gravel public roads therein.

H. 1046. To amend section two of an act to constitute the city of Anniston a separate school district and to provide a board of education therefor.

H. 1099 To amend section 3 of an act entitled an act to establish a separate school district in Clarke county, Alabama, to be known as the Grove Hill school district, and to provide for the maintenance of the same, approved March 4th, 1901.

H. 1292. To require the court of county commissioners of Baldwin county to let to the lowest bidder after due notice by publication, the road and bridge contracts in Baldwin county, provided, said bidder gives bond for the faithful performance of contract.

H. 1016. To repeal an act entitled an act to establish, maintain and regulate a dispensary in the town of Ragland, in St. Clair county, Alabama, for the sale of spirituous and vinous liquors, malt liquors, wines, ciders and other intoxicating liquors, and to create a board of directors for the purpose of better controlling and managing the sale of spirituous and vinous liquors, malt liquors, wines, cidets and other intoxicating liquors and for other purposes.

H. 1267. To provide for the payment by the court of county commissioners of Bullock county, Alabama, out of the county treasury, for the removal fees, mileage and per diem for the removal of persons charged with misdemeanor.

H. 1095. To require the tax assessor and tax collector of Calhoun county, Alabama, to visit the voting places in each precinct in Calhoun county, Alabama, once in each year, for the purpose of assessing and collecting taxes; that said tax assessor and tax collector

shall each keep his office open at the court house of said county from October 1st to December the 31st of each year.

H. 1301. To prohibit the sale, barter, exchange or giving away of vinous, spirituous or malt liquors, or other intoxicating drinks or beverages, in the county of Houston, in the State of Alabama; and to provide for an offense and a penalty for the sale, barter, exchange or giving away of vinous, spirituous or malt liquors, or other intoxicating drinks or beverages in the said county of Houston.

H. 1110. For the relief of H. Frederick, an ex-confederate soldier; to give the said H. Frederick the benefits granted under an act the General Assembly of Alabama, approved February 10th, 1899, for the relief of needy confederate soldiers and sailors resident citizens of Alabama, and to require the probate judge of Escambia county to place his name on the pension roll or list of ex-confederate soldiers in the county of Escambia.

Cyrus B. Brown,
Clerk.

SIRNING OF BILLS.

The president of the Senate, in the presence of the Senate, immediately after their titles had been publicly read at length by the secretary signed the above House bills, the titles of which are set out in the foregoing message from the House. The reading at length of said bill having been dispensed with, by a two-thirds vote of a quorum of the Senate present.

TO RECONSIDER VOTE.

Pursuant to notice heretofore given Mr. Spragins made a motion to reconsider vote by which the Senate passed on yesterday

S. 538. To prohibit the having of pay days and the running of pay trains in the State of Alabama and to provide a punishment therefor.

Which motion was carried.

Mr. Spragins moved to reconsider vote by which said bill was ordered to a third reading which was carried. Mr. Wilson offered the following amendment, to-wit:

Amend caption of Senate bill 538 by adding the word "on Sunday" after word "Alabama."

Which amendment was adopted.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lowe	Overton
Bayles	Hayes	Lusk	Reid
Blackmon	Heacock	Merritt	Reynolds
Doster	Jones	Miller	Spragins
Gunn	Leith	McWhorter	Wilson

—20.

Mr. Lowe offered the following amendment, to-wit:

Amend by striking out of section one and caption the words "or run a pay train", where it occurs in section one, and in caption.

Which was adopted.

Yeas, 22; nays, 2.

Yeas:

Messrs:

Barbour	Hamner	Lusk	Reid
Bayles	Hayes	Miller	Spragins
Blackmon	Horton	Moody	Strother
Doster	Jones	McWhorter	Strother
Gardner	Leith	Overton	Wimberly
Gunn	Lowe		

—22.

Nays: Messrs. Merritt, Wilson—2.

Mr. Spragins then moved to indefinitely postpone said bill and amendments.

Which motion was lost.

Yeas, 4; nays, 20.

Yeas:

Messrs:

Blackmon	Hayes	Lowe	Spragins
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—4.

Nays:

Messrs:

Barbour	Hamner	Miller	Reynolds
Bayles	Jones	Moody	Strother
Doster	Leith	McWhorter	Teasley
Gardner	Lusk	Overton	Wilson
Gunn	Merritt	Reid	Wimberly

—20.

And said bill, as thus amended, was read a third time, at length, and passed.

Yeas, 21; nays, 2.

Yeas:

Messrs:

Barbour	Leith	Moody	Spragins
Bayles	Lowe	McWhorter	Strother
Doster	Lusk	Overton	Teasley
Gardner	Merritt	Reid	Wilson
Gunn	Miller	Reynolds	Wimberly
Jones			

—21.

Nays: Messrs. Blackmon, Hayes—2.

And said bill was ordered sent forthwith to the House without engrossment.

REPORT FROM RULES COMMITTEE.

Mr. Gardner, from the committee on Rules, reported as follows:

To the President of the Senate:

Your committee reporting on resolutions for special orders, report and recommend the following special orders, (submitting same as a partial report):

For Monday, July 29, 1907, for consideration in the order here named:

S. 546. (With amendment.) To amend sections 1, 2, 4, 6, 8, 9, 13, 14 and 15 of an act entitled "An act to regulate the registration, branding, sale, tagging and analysis of commercial fertilizers, acid phosphate, fertilizer materials and chemicals in the State of Alabama," approved March 3, 1903.

S. 508. (With amendment.) To prohibit pools, trusts, monopolies and conspiracies to control business and prices of articles; to prevent the formation or operation of pools, trusts, monopolies and combinations of charters of corporations that violate the terms of this act, and to authorize the institution of proceedings and suits therefor.

Mr. Steagall.

H. 1107. To appropriate twenty-five hundred dollars (\$2,500.00) for the incidental and contingent expenses to be disbursed on the order of the governor.

Mr. Carmichael, of Colbert.

H. 1232. To make further provisions for defraying the expenses of the Legislature.

Mr. Carmichael, of Colbert.

H. 906. To appropriate a sum of money to pay for the stationery and stationery supplies used by the Legislature of Alabama during this present session.

Mr. Leith.

S. 558. To establish a dispensary in and for the town of Berry, in the county of Fayette, State of Alabama, and to provide for the conduct and regulation of the same.

Mr. Miller.

S. 503. To further regulate and prohibit the sale or other disposition of spirituous, vinous, malt or intoxicating liquors, or the issuing of prescriptions by physicians for the sale or other disposition of such liquors.

Mr. Lusk.

S. 570. To authorize the auditor on certificate of the board of county examiners to restore confederate pensioners to the pension list and pay unpaid pensions, where through mistake, omission or inadvertence dropped off the list.

Mr. Wilson:

S. 565. (With substitute.) To amend an act entitled an act to provide for the establishment of a bureau to collect, compile, and publish cotton statistics and to prescribe the duties and powers of said bureau; to make appropriations for the maintenance thereof; ~~to require ginners and others to make reports thereto;~~ and to provide penalties for the violations of the provisions of this act, approved March 5, 1907.

Lucian Gardner,
Chairman.

Which said report was adopted.

TAKEN FROM AN ADVERSE REPORT.

On motion of Mr. Lowe, made in pursuance of notice heretofore given:

H. 515. To abolish the county court of Morgan county, Alabama, and to annul its jurisdiction, which court is provided for in and by article 3, chapter 142 of the Code of Alabama, and to provide for the transfer of all the causes of every kind and description pending in said court at the time of the approval of this act, together with all papers, records, processes and everything pertaining to such causes, pending in said court, by the clerk thereof, to the Morgan county law and equity court.

And

H. 575. For the relief of John S. Stenphenson.

And

H. 682. For the relief of the school trustees of township four (4), range eight (8), west, of Lawrence county, Alabama.

Were taken from an adverse report, severally read a second time and placed on the calendar for a third reading on tomorrow.

On motion of Mr. Teasley, and in pursuance of a notice heretofore given:

H. 324. To define and regulate negotiable instruments.

And

H. 229. To provide for official stenographic reporters in the several circuit courts of the State of Alabama, and to provide for their compensation and prescribe their duties, and provide a penalty for the violation of the provisions of this act.

Were taken from an adverse report, severally read a second time and placed on the calendar for a third reading on tomorrow.

RESOLUTION.

Mr. Teasley offered the following resolution, to-wit:

Resolved by the Senate, that House bill 324, entitled an act "To define and regulate negotiable instruments," be made a special, paramount, continuing order for the next legislative day at 12 o'clock.

Which was read and referred to the committee on Rules.

BILLS ON THIRD READING.

The bill:

S. 529. To amend sections 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 16, 17 and 18 of and to add sections 9 1-2, 16 1-2, 17 1-2, 24 and 25 to an act entitled an act to amend, reconstruct and provide for the enforcement of the laws relating to the public health, approved October 9, 1903.

Was taken up.

The following amendment was offered by the committee:

Amend by adding a section to be numbered and to read as follows:

In the event that any of the provisions of any general municipal bill which may be enacted by this Legislature at this session shall be in conflict with any of the provisions of this act or the general health and quarantine laws of the State, the provisions of this act and such general health and quarantine laws shall prevail.

Amend sub-section (f) of section 4 by striking out the words, "whose existing charter does not otherwise provide for the election of such health officers."

Amend section 26 by striking out the word "ten" and by inserting in lieu thereof the word "five."

Amend section 14 by adding after the word "before" in the 5th line, the words "~~the judge of any court of~~ record."

Amend section 18 by striking out the words, "judge of probate of each county," and inserting in lieu thereof the words, "clerk, register or clerk and register of each court having equity jurisdiction." Also by adding at the end of said section the words "including the race and color of the parties."

Amend by adding a section to be numbered 26 and to read as follows:

Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than ten nor more than one hundred dollars.

Amend by adding a section to be numbered 27 and to read as follows:

In the event that any of the provisions of any general municipal bill which may be enacted by this Legislature at this session shall be in conflict with any of the provisions of this act or with the general health laws of the State, the provisions of this act and of the general health laws shall prevail.

Which was adopted.

Ayes, 24; nays, 0.

Yeas:

Messrs:

Bayles	Hinson	Merritt	Reid
Blackmon	Horton	Miller	Spragins
Forrester	Jones	Moody	Strother
Glenn	King	McWhorter	Teasley
Gunn	Leith	Overton	White
Hayes	Lowe	Reese	Wimberly
Heacock	Lusk		

And the bill, as thus amended, was read a third time, at length, and placed on the calendar.

Yeas, 19; nays, 1.

Yeas:

Messrs:

Barbour	Heacock	Miller	Strother
Blackmon	Jones	McWhorter	Teasley
Glenn	Leith	Overton	Wilson
Gunn	Lowe	Reese	Wimberly
Hayes	Lusk	Reynolds	

—19.

Nay: Mr. Bayles—1.

And ordered sent to the House forthwith without engrossment.

The bill:

S. 615. To amend section 2695 of the Code.

Was read a third time, at length, and passed, and ordered sent to the House forthwith without engrossment.

Yeas, 28; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Lusk	Reid
Bayles	Heacock	Merritt	Reynolds
Doster	Hinson	Miller	Spragins
Forrester	Horton	Moody	Strother
Gardner	Jones	McWhorter	Teasley
Gunn	Leith	Overton	Wilson
Hamner	Lowe	Reese	Wimberly.

—28.

The bill:

S. 546. To amend sections 1, 2, 4, 6, 8, 9, 13, 14 and 15 of an act entitled "An act to regulate the registration, branding, sale, tagging and analysis of commercial fertilizers, acid phosphates, fertilizer materials and chemicals in the State of Alabama," approved March 3, 1903.

Was taken up.

The following amendment was offered by the committee:

Number 1: Amend section 1, by adding the following words: or twenty-four hours thereafter, after the words "day of shipment," in line sixteen of the original bill.

Also by adding the following words, "when exceeding five tons," after the words "every such shipment," in line sixteen of the original bill.

~~Number 2: Amend section 9, by striking out of line thirteen of the original bill the word "annually."~~

Number 3: Also by striking out the words "of each year," in line fourteen, section 9, of the original bill.

Number 4: Also amend by striking out of line twenty-one, section nine, of the original bill, the words "in said year."

Number 5: Amend section thirteen by adding after the words, "authority to employ," in line four of the original bill, the following words, for not exceeding three months in each year upon the approval of the governor.

Mr. Reese demanded a division of said amendment, and on his motion said amendment was divided by withdrawing from present consideration those parts numbered two and three, and on his motion said amendment, except parts numbered two and three, was adopted.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Bayles	Horton	Miller	Spragins
Gunn	Jones	Moody	Strother
Hamner	King	McWhorter	Teasley
Hayes	Lowe	Overton	Wilson
Heacock	Merriitt	Reynolds	Wimberly

—20.

Mr. Reese moved to lay on the table parts of said amendment numbered two and three, as follows:

Number two: Amend section 9 by striking out of line 13 of original bill the word "annually."

Number three: Also by striking out the words "of each year" in line 14, section 9, of the original bill.

Which was adopted.

Yeas, 11; nays, 10.

Yeas:

Messrs:

Bayles	Gunn	Leith	Reese
Doster	Hayes	Lusk	Wilson
Gardner	Horton	Overton	

—11.

Nays:

Messrs:

Barbour	Jones	Moody	Spragins
Blackmon	Lowc	Reynolds	Teasley
Glenn	Miller		

—10.

Mr. Leith offered the following amendment:

Amend the title of the bill by inserting between the figures 4 and 6 in line 1 of the title the figure "5."

Amend section 2 by striking out the words "on or before October first of each year," in line 3.

Amend the bill by inserting between section 4 and section 6 the following:

"Section 5. If any commercial fertilizer or fertilizer material, sold in this State, shall prove deficient in any of its ingredients as guaranteed or branded on the sacks, bags or packages containing the same, and if, by reason of such deficiency, the commercial value of such fertilizers shall fall more than five per cent, below the guaranteed total commercial value of such fertilizers, or fertilizer material, then any note or obligation given in payment therefor shall be collectable by law only for one-half of the amount of such note or obligation; provided further, that any person, firm or corporation who sells any fertilizers or fertilizer material that shall prove deficient in any of its ingredients as guaranteed and branded on the sacks, bags, or packages containing the same, so that by reason of such deficiency the commercial value of such fertilizers shall fall more than five per cent. below the guaranteed total commercial value of such fertilizers, or fertilizer materials, shall be guilty of a misdemeanor and upon conviction shall be

fined not less than one hundred or more than one thousand dollars."

Was adopted.

Ayes, 19; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Leith	Reynolds
Bayles	Hamner	Lowe	White
Blackmon	Hayes	Lusk	Wilson
Doster	Heacock	Overton	Wimberly
Forrester	Horton	Reese	—19.

Mr. Reese offered the following amendment:

Amend section one of the bill by striking out the words "on day" in line 13 and inserting in lieu thereof the words "within forty-eight hours after insurance of bill-of-lading."

Amend section 8 by adding at the end thereof the following: "Provided that nothing herein contained shall prohibit ordinary or usual trade discount."

Amend section 14 by inserting after the words "fertilizer material" in line 1 the following words: "After giving ten days' notice to the manufacturer of the same by registered letter, United States postoffice, or by personal deliverery of the time and place of taking the sample, in order that the manufacturer may have a representative present if he so desires."

Amend section 14 by striking out the word "any" in the last line of the section and inserting in lieu thereof the word "such."

Amend section 15 by adding at the end thereof the following: "The term complete fertilizer used in this bill shall be understood to mean available phosphoric acid, nitrogen, calculated as amonia; and potash in combination."

Pending the further consideration of this bill

RECESS.

The hour of one o'clock having arrived, the Senate took a recess until three o'clock.

AFTERNOON SESSION.

Monday, July 29th, 1907.

The Senate met pursuant to adjournment.
A quorum was present.

RESOLUTIONS.

The following resolutions were severally read and referred to the committee on Rules:

By Mr. Davis:

Resolved by the Senate, that House bill No. 916 be made a special, paramount and continuing order for next legislative day at 12:30 o'clock.

By Mr. McWhorter:

Resolved, that House bill 552 by Mr. Sherrod, providing for the publication by the sheriffs of the several counties of the names of all persons who have taken out U. S. Internal revenue license, be made a special, paramount and continuing order for 10 a. m. of the next legislative day.

By Mr. Hamner:

Resolved, that S. B. 486 be made a special, paramount and continuing order for 10:10 tomorrow (the next legislative day). This July 29, 1907.

By Mr. Doster:

Resolved, that House bill No. 714, making it unlawful to practice as an attorney without having obtained a license therefor, be made a special, paramount, continuing order for the next legislative day.

By Mr. Hinson:

Resolved, that Senate bills 110 (with substitute), S. B. 580 be made a special, paramount and continuing order for 12:30 p. m. o'clock and 12:45 respectively on the next legislative day.

By Mr. Reynolds:

Resolved, that House bill 378 be made a special order for the next legislative day at 10 o'clock.

By Mr. Wimberly:

Resolved that Senate bill No. 354 be made a special order at 10 o'clock on the next legislative day.

By Mr. Glenn:

Resolved, that House bill No. 565 (on page 57 Senate calendar) shall be the paramount, special continuing order on the next legislative day at the hour of 11:30 a. m.

Mr. Merritt offered the following resolution, to-wit:

Resolved, that when the Senate meets tonight the roll call of Senators shall be taken up where the same is left off this afternoon, and on said roll call each Senator shall have the right to call for passage two local bills.

Which was adopted.

NOTICE.

Notice is hereby given that a motion will be made on the next legislative day after the reading of the journal to take House bill No. 1178 from the adverse calendar. This July 29, 1907. Mr. Bayles.

INDEFINITE POSTPONEMENT.

On motion of Mr. Leith, Senate bill 232:

To repeal an act entitled an act to prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, or any intoxicating bitters, within four miles of the Tuscaloosa district high school, situated at Berry Station, Fayette county, Alabama.

Was indefinitely postponed.

On motion of Mr. Hamner:

S. 268. To amend sections 3093, 3094, 3095, 3098, 3099, 3102, 3105, 3106 and 3108 of the Code of Alabama, 1896.

And

S. 269. To amend sections 2615, 2616, 2617 and 2618 of the Code of Alabama of 1896.

Were indefinitely postponed.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following Senate bills:

S. 491. To vacate and annul the dedication of the following highways and parts of highways situated in Birmingham, Jefferson county, Alabama, to-wit: All of Morris street from its beginning at Eighth street to its end abutting the property heretofore known as the Owen property. All of Eighth street from First avenue, north, to the right of way of the Alabama Great Southern Railroad Company. All of Minnie street from First avenue, north, to the end thereof abutting the property of the Tennessee Coal, Iron and Railroad Company.

S. 575. To ratify and confirm the acts and contracts of the court of county commissioners of Wilcox county, or other authorized agents of said county, borrowing money for the use and benefit of said county and to ratify and confirm the warrants given for money so borrowed and for the interest thereon, and for warrants heretofore issued for said purpose.

S. 574 1-2. To ratify and confirm and legalize all warrants heretofore issued by the court of county commissioners of Wilcox county for the use and benefit of the underwriters of the Camden branch of the Louisville and Nashville railroad.

S. 490. To vacate and annul the dedication of the following highways and parts of highways, situated in Jefferson county, Alabama, to-wit: All that part of the alleys lying and running through blocks 83, 122, 126 and 168, lying within one hundred feet of Fourteenth

street and the continuation thereof, the said blocks being described according to the survey, map and plan of the city of Bessemer, by the Bessemer Land & Improvement Company, and situated in Bessemer, Jefferson county, Alabama.

Also all that part of the alley in block B of Hall's addition to Bessemer map of the plan and survey of which is recorded in the office of judge of probate of Jefferson county, Alabama, in map book 3 at page 23, which lies within two hundred feet of the continuation of Fourteenth street along the northwest boundary of said block, and situated in Jefferson county, Alabama.

Also all that part of Exeter avenue lying within one hundred feet of Fourteenth street in the city of Bessemer, Jefferson county, Alabama.

Also all that part of Seventh street lying between First avenue and Alabama avenue in the city of Bessemer, Jefferson county, Alabama, and also all the alleys lying within and running through blocks two hundred and one and two hundred and two in the city of Bessemer, Jefferson county, Alabama.

S. 478. To provide for the election of a harbor master and three deputy harbor masters and to regulate their duties and provide for their compensation.

S. 526. To regulate the fine and forfeiture fund of Montgomery county, and provide for the registration any payment of claims against said fund.

S. 450. To refund to Selma mortgage tax paid by it on the deed of trust made by it to Chicago Title & Trust Company to secure the Selma water works bonds.

S. 407. To vacate the dedication of the following alleys and part of a street in the Elyton Land Company's survey in the city of Birmingham, Alabama; the alley bisecting block 94 and the alley bisecting block 95 and that part of Fifteenth street lying between the north line of First avenue and the south line of Second avenue; and to provide compensation for any property owner injured thereby.

S. 413. To prevent the sale, barter, exchange and giving away of spirituous, vinous or malt liquors, or intoxicating beverages of any kind, within two (2)

miles of any church or house used for religious worship in the town of Sanford, in Covington county, and to provide punishment for violations of this act.

S. 418. To fix the compensation to be allowed the sheriff and clerk of the circuit court of Conecuh county, Alabama, for all official duties for the compensation of which no express provision is made by law.

S. 415. To repeal an act entitled "An act to authorize the commissioners' court of Butler county to order elections for the establishment of districts in which stock shall be prevented from running at large.

S. 560. To provide for the appointment by the judges of the city court of Birmingham of the necessary bailiffs for said court and to fix the duties, powers, liabilities and compensations of said bailiffs and to provide for the payment of their compensation.

S. 421. To prohibit the operation of traction engines on the public roads of Bibb county, Alabama.

And returns same herewith to the Senate.

Cyrus B. Brown,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in the Senate amendment to the following House bills:

H. 891. To provide for the election of the county commissioners of Bibb county, Alabama, and to prescribe their terms of office.

H. 924. To divide the county of Hale into four commissioners' districts, and to provide for the election of a commissioner for each district.

H. 1032. To provide for an official short-hand reporter for the Thirteenth judicial circuit; to prescribe the qualifications, terms of office and duties of such reporter, and to fix his compensation and fees.

H. 876. To divide St. Clair county into two chancery districts, to provide for holding court therein, to authorize the appointment of a register for each of said districts, and to prescribe his duties.

H. 1035. To provide for the election of a county solicitor for Wilcox county, to define his duties and fix his compensation.

Cyrus B. Brown,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker of the House having signed the following House bills your signature thereto is requested:

H. 925. To provide for the working of the public roads of Hale county, for levying a tax for same and how same shall be expended.

H. 1150. To amend "An act to provide for the settlement, adjustment and refunding of the bonded indebtedness of municipal corporations."

H. 966. To amend sections 7, 8, 14, 21, 24, 27, 29 and 32 of an act entitled an act to establish a law and equity court for Madison county, approved February 26th, 1907.

H. 870. To repeal an act entitled "An act to establish the county court of Coffee for Coffee county with criminal jurisdiction in misdemeanor cases, approved February 8th, 1901, and all subsequent and amendatory acts relating to said court, and to transfer all the civil and criminal proceedings therein pending together with all the dockets, papers and books relating to said cases in said county court of Coffee to the circuit court of Coffee county, Alabama.

H. 907. To provide for the making of bonds for the State auditor and secretary of State through guarantee companies and to provide for the payment of the premium on same.

H. 836. To amend an act entitled an act to establish a separate school district to be known as the Bethel school district, composed of a portion of Colbert, Lawrence and Franklin counties, Alabama, approved February 15th, 1899.

H. 901. To authorize the court of county commissioners of Clay county, Alabama, to pay annually on

claims for public roads and bridges an amount out of the general fund of said county not to exceed one-fifth of said general fund levied and collected in any one year.

H. 1190. To repeal an act approved September the 30th, 1903, entitled an act to provide a better system and the more efficient working of the public roads of Bullock county.

H. 1032. To provide for an official short-hand reporter for the Thirteenth judicial circuit; to prescribe the qualifications, term of office and duties of such reporter, and to fix his compensation and fees.

H. 810. To establish a board of revenue for Houston county.

H. 891. To provide for the election of the county commissioners of Bibb county, Alabama, and to prescribe their terms of office.

H. 924. To divide the county of Hale into four commissioners districts and to provide for the election of a commissioner for each district.

H. 1259. To amend sections 4, 13, 20, 17, 24, 25 and by adding section 28 1-2 to the provisions of an act entitled "An act to provide a road law for the county of Marengo and to enforce the same," approved February 26th, 1907.

H. 960. To amend section 1 of an act "To aid and encourage technical education in the State of Alabama and the providing for the erection and equipment of buildings and increased facilities at the Alabama Polytechnic Institute," approved March 2, 1907.

H. 133. To amend an act entitled an act to establish an inferior court in precincts 21 and 37 in Jefferson county, Alabama, in lieu of all justices of the peace and notaries public with powers of justices of the peace in said precincts; and to prescribe the jurisdiction and powers of said court and the judges thereof, approved September 26th, 1903.

Cyrus B. Brown,
Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read at length by the secretary, signed the above House bills, the titles of which are set out in the foregoing ~~message from the House~~, the reading at length of said bills having been dispensed with, by a two-thirds vote of a quorum of the Senate present.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has adopted the following House joint resolution:

H. J. R. 325. 1. Resolved by the Legislature of Alabama, that, having received notice of the death of Hon. Edmund Winston Pettus, whereby the office of Senator from Alabama in Congress of the United States, for the term ending March 4th, 1909, is vacant:

That the two Houses of this Legislature will at noon on Tuesday, August 6th, 1907, that day being the second Tuesday after notice of the vacancy, proceed to elect a Senator for the unexpired time ending March 4th, 1909; and at noon on Wednesday, August 7th, 1907, the members of the two Houses will convene in joint assembly in the Hall of the House of Representatives to verify the votes cast and declare who is duly elected Senator for that unexpired term.

2. That as the Legislature of Alabama will not be in regular session again, till after the expiration of the term of office of Senator on March 4th, 1909, that each House shall immediately after the election provided for in the first resolution above proceed to elect a Senator from Alabama in the Congress of the United States for the term of six years beginning March 4th, 1909, and the members of the two Houses will convene in joint assembly, immediately after the joint assembly provided for in the first resolution above, and verify the votes cast and declare who is duly elected Senator for the term of six years beginning March 4th, 1909.

3. That the Legislature when it adjourns Monday, July 29th, 1907, adjourn to meet Thursday morning, August 1st, 1907, and when it adjourns Friday, August 2nd, 1907, it be to meet Tuesday, August 6th, and that it adjourn finally at the end of August 7th, 1907.

And sends same herewith to the Senate.

And has concurred in S. J. R. 107, relative to Legislature attending funeral of late Senator E. W. Pettus.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Lusk, the Senate concurred in H. J. R. No. 325, which is fully set out in the foregoing message from the House.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. President:

The committee on Enrolled Bills have examined and compared the following Senate bills:

S. 407. To vacate the dedication of the following alleys and part of a street in the Elyton Land Company's survey in the city of Birmingham, Alabama: the alley bisecting block 94 and the alley bisecting block 95 and that part of Fifteenth street lying between the north line of First avenue and the south line of Second avenue; and to provide compensation for any property owner injured thereby.

S. 413. To prevent the sale, barter, exchange and giving away of spirituous, vinous or malt liquors, or intoxicating beverages of any kind, within two (2) miles of any church or house used for religious worship in the town of Sanford, in Covington county, and to provide punishment for violations of this act.

S. 415. To repeal an act entitled "An act to authorize the commissioners' court of Butler county to order elections for the establishment of districts in which stock shall be prevented from running at large.

S. 418. To fix the compensation to be allowed the sheriff and clerk of the circuit court of Conecuh county, Alabama, for all official duties for the compensation of which no express provision is made by law.

S. 421. To prohibit the operation of traction engines on the public roads of Bibb county, Alabama.

~~S. 450. To refund to Selma mortgage tax paid by it on the deed of trust made by it to the Chicago Title & Trust Company to secure the Selma water works bonds.~~

S. 478. To provide for the election of a harbor master and three deputy harbor masters and to regulate their duties and provide for their compensation.

S. 490. To vacate and annul the dedication of the following highways and parts of highways, situated in Jefferson county, Alabama, to-wit: All that part of the alleys lying and running through blocks 83, 122, 126 and 168, lying within one hundred feet of Fourteenth street and the continuation thereof, the said blocks being described according to the survey, map and plan of the city of Bessemer, by the Bessemer Land & Improvement Company, and situated in Bessemer, Jefferson county, Alabama.

S. 491. To vacate and annul the dedication of the following highways and parts of highways situated in Birmingham, Jefferson county, Alabama, to-wit: All of Morris street from its beginning at Eighth street to its end abutting the property heretofore known as the Owen property. All of Eighth street from First avenue, north, to the right of way of the Alabama Great Southern Railroad Company. All of Minnie street from First avenue, north, to the end thereof abutting the property of the Tennessee Coal, Iron and Railroad Company.

S. 526. To regulate the fine and forfeiture fund of Montgomery county, and provide for the registration and payment of claims against said fund.

S. 560. To provide for the appointment by the judges of the city court of Birmingham of the necessary bailiffs for said court and to fix the duties, powers, liabilities

ties and compensation of said bailiffs and to provide for the payment of their compensation.

S. 574 1-2. To ratify and confirm and legalize all warrants heretofore issued by the court of county commissioners of Wilcox county for the use and benefit of the underwriters of the Camden branch of the Louisville & Nashville railroad.

S. 575. To ratify and confirm the acts and contracts of the court of county commissioners of Wilcox county, or their authorized agents of said county, borrowing money for the use and benefit of said county and to ratify and confirm the warrants given for money so borrowed and for the interest thereon, and for warrants heretofore issued for said purpose.

S. 420. To further regulate the working of the public roads of Bibb county, Alabama, to further provide and regulate the building and repairing of bridges along said public roads, to further provide for and regulate the maintenance and up-keep of said public roads and bridges, to further regulate the public road affairs of said county, and to provide punishment for the violation of this act.

S. 541. To appropriate the sum of fifty thousand dollars to defray the expenses incurred and to be incurred in connection with the railroad rate litigation now pending, or which may hereafter be instituted, between the various railroads of Alabama and the railroad commission.

And find same correctly enrolled.

Frank S. Moody,
Chairman.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read at length by the secretary, signed the above Senate bills, the titles of which are set out in the foregoing report from the committee on Enrolled Bills, the reading at length of said bills having been dispensed with, by a two-thirds vote of a quorum of the Senate present.

REPORT FROM COMMITTEE ON ENGROSSED BILLS.

Mr. President:

The committee on Engrossed Bills respectfully report that they have examined the following Senate bills, 478, 604, and compared with the original bills respectively, and found to be correctly engrossed.

Robt. E. Spragins, Chairman.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in S. J. R. No. 82, relative to petitioning Congress to repeal the bankruptcy act, and herewith returns same to the Senate.

C. B. Brown, Clerk.

RESOLUTION.

Mr. Reese offered the following resolution:

S. J. R. 107. Resolved by the Senate of Alabama, the House of Representatives concurring, That, whereas, the record of a long life is ended and General Edmund Winston Pettus, Alabama's venerable and much beloved Senator, rests from his labors. He was a patriot, statesman and Alabama mourns his death.

Be it therefore resolved: First. That when the Legislature adjourns today it shall stand adjourned until Thursday, Aug. 1st, 1907, for the purpose of attending in a body his funeral at Selma.

Second. That the Legislature attend the funeral in a body.

Third. That there is hereby raised a joint committee on arrangements consisting of three (3) Senators and six (6) members of the House to be appointed respectively by the presiding officer of the Senate and House.

Fourth. That said committee be and is hereby authorized and empowered to make all proper and necessary arrangements for attending said funeral including transportation of the Legislature and all executive and judicial officers of the State and to contract with

the railroad for the use of a special train for said purpose.

Which, under a suspension of the rules, was adopted.

And the President of the Senate appointed as the committee on the part of the Senate, Messrs. Reese, McWhorter and Reynolds.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bills and ordered same sent forthwith to the Senate without engrossment:

H. 1320. To further regulate elections in the State of Alabama.

H. 555. To provide for the maintenance of the "State Normal School" for colored students and the complete equipment of its class rooms and work shops and to build and furnish additional buildings therefor.

H. 527. To repeal sub-division 84 1-2 of an act entitled an act to better provide for the revenue of the State, approved March 4th, 1903.

H. 1361. To make an appropriation for the payment of the expenses of confederate reunions in this State.

H. 936. To propose an amendment to the Constitution of the State of Alabama for the purpose of providing for the formation and establishing of new counties out of portions of one, two or more counties as may be desired.

H. 1075. To amend section 809 of the Code of 1896.

H. 674. To regulate the practice of medicine in the State of Alabama.

H. 182. To empower cities and towns to purchase and operate waterworks, to provide for the issuance of their bonds in payment for the same and to provide for securing the unpaid purchase money for such waterworks.

And sends the same to the Senate.

H. 1370. To provide a commission to investigate the charges made against the management of the Insane

Hospitals; to prescribe its powers and duties and to pay the per diem, mileage and expenses therefor.

And sends the same to the Senate.

C. B. Brown, Clerk.

HOUSE MESSAGE.

~~The House bills in the foregoing~~ House message were severally read once and referred to appropriate standing committees, as follows:

H. 1320, to Revision of Laws; H. 674, to Public Health; H. 555, 527, to Finance and Taxation; H. 1361, to Military; H. 1075, 182, 1370, to Judiciary; H. 936, to County and County Boundaries.

Montgomery, July 27, 1907.

To the Senate:

It becomes my painful duty to announce to the Legislature the death of Hon. Edmund Winston Pettus, United States Senator from Alabama, on the 27th day of July, 1907, which death leaves a vacancy in said office.

It will become the duty of the Legislature at its present session, to fill said vacancy by election.

B. B. Comer, Governor.

Montgomery, July 27, 1907.

To the Senate:

I herewith transmit to the Legislature an invitation, extended by the citizens of Selma to the Executive, Legislative, and Judicial departments of the State of Alabama, inviting the members of said departments to attend the funeral ceremonies of the late Edmund Winston Pettus, the same to be held at Selma on Tuesday, July 30, 1907, at 12:30 p. m.

B. B. Comer, Governor.

July 29, 1907.

Hon. B. B. Comer,

The Governor.

Dear Sir:—At a mass meeting of the citizens of Selma, held yesterday afternoon, I was directed to indi-

cate to you, and through you to the Legislature and Supreme Court, that it is the urgent desire of the people of Selma that your excellency and the other executive officers of the State, the Legislature and the Supreme Court should attend the funeral ceremonies of the beloved Pettus.

Respectfully,

H. F. Reese.

GOVERNOR'S MESSAGE.

The messages from the governor together with accompanying documents were ordered spread on the journal.

BILLS ON THIRD READING.

The bill:

H. 953. To provide how the salaries of circuit judges whose salaries are partly paid by the counties in which said judges hold court shall be paid.

Was taken up.

The following amendment offered by the committee, to-wit:

Amend H. B. 953 by striking out the words: "Boards of revenue or county commissioners" where they occur and inserting in lieu thereof the words "the judge or judges of such courts."

Which was adopted.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Barbour	Heacock	Moody	Teasley
Davis	Horton	Overton	Thomas
Doster	Jones	Reese	White
Gardner	Leith	Reynolds	Wilson
Glenn	Merritt	Spragins	Wimberly
Hayes	Miller	Strother	

—23.

And said bill, as thus amended, was read a third time, at length, and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Lusk	Reid
Bayles	Heacock	Miller	Spragins
Davis	Hinson	Moody	Strother
Forrester	Horton	McWhorter	Teasley
Glenn	Jones	Overton	White
Gunn	Leith	Reese	Wimberly
Hamner			

—25.

The bill:

H. 1098. To provide for closing and discontinuing the dispensary operated under an act to establish a dispensary in the town of Clanton, county of Chilton, State of Alabama, and to provide for the conduct and regulation of the same, approved March 2, 1907.

Was taken up.

The following amendment offered by the committee, to-wit:

Amend section 1 by inserting immediately after the words "be and is hereby discontinued," the following words: "Ninety days after the approval of this act."

And further amend section 1 by striking out the following words at the end of said section: "the passage and approval of this act," and inserting in lieu thereof the following words: "Ninety days after the approval of this act."

Amend section 2 by striking out the words "as soon as," where they occur immediately after the words "so far as doing business is concerned" and inserting in lieu thereof the following words: "Ninety days after."

And further amend section 2, by striking out the word "thereafter," and inserting in lieu thereof the following words: "After said ninety days."

Amend section 3 by striking out the words "the passage and", where they occur immediately after the words "attempt to operate said dispensary after," and inserting in lieu thereof the following words "Ninety days after the".

Was adopted.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Bayles	Hinson	Miller	Spragins
Davis	Jones	McWhorter	Strother
Doster	King	Overton	Teasley
Gardner	Leith	Reese	Thomas
Hamner	Lowe	Reid	Wilson
Hayes	Lusk	Reynolds	Wimberly
Heacock	Merritt		

—26.

And said bill, as thus amended, was read a third time, at length, and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Bayles	Horton	Miller	Strother
Davis	Jones	McWhorter	Teasley
Doster	Leith	Overton	White
Hayes	Lowe	Reid	Wilson
Heacock	Lusk	Reynolds	Wimberly
Hinson	Merritt	Spragins	

—23.

The bill:

H. 1049. To provide for the holding of two terms, each year, of the circuit court of the Ninth judicial circuit at Albertville, in Marshall county, and to regulate the same.

Was taken up.

The following substitute offered for said bill by the committee, to-wit:

A BILL

To be entitled an act to provide for the holding of two terms each year of the circuit court of the Ninth judicial circuit at Albertville in Marshall county, and to regulate the same.

Section 1. Be it enacted by the Legislature of Alabama, That there shall be held in Albertville, Marshall county, Alabama, during each year after the psassage

of this act two terms of the circuit court, which term shall commence on the fourth Monday after the first Monday in April and October and may continue one week.

Section 2. That the territory over which the Albertville ~~division~~ of the circuit court shall have jurisdiction for the trial of civil cases is all that territory embraced in Albertville precinct No. 4, Jaybird precinct No. 5, Rock Springs precinct No. 13, Friendship precinct No. 16, Kirbys precinct No. 18, Thompsons precinct No. 18, Redapple precinct No. 20, Reedbrake precinct No. 22, and Hoopers precinct No. 24, making the western brow of Sand mountain the dividing line from the remainder of Marshall county.

Section 3. That the court to be held at Albertville shall be known as the Albertville division of Marshall circuit court, and there shall be kept a separate docket of such cases as are triable therein but the minutes and records thereof shall be kept with other records and minutes but so as to show for what division. The following cases shall be triable therein:

1. Where the plaintiff and defendant both reside in the territory described in section 2 or defendant resides in such territory and plaintiff in other part of the county and plaintiff so elects.

2. Where the plaintiff resides out of Marshall county and the defendant or defendants reside in the territory described in section 2.

3. Where the plaintiff resides out of the county and one or more of the defendants but not all reside in the territory described in section 2 and all or a majority of the defendants residing in the county including those in the territory described in section 2, wish to have such suit brought or tried therein.

4. Where the cause of action is other than one arising out of contract if the act or omission complained of occurred in the territory described in section 2, and the defendant does not reside therein, and the plaintiff resides therein and so elects.

5. When the defendant is a corporation doing business by agent in the territory described in section 2 and

the cause of action arises therein or the plaintiff resides therein and the plaintiff so elects.

Section 4. That all civil causes pending in the circuit court of Marshall county which are triable in said court as provided in section 3 of this act shall on motion of the parties or party entitled to so move, be transferred to the docket of the court to be held at Albertville and shall stand for trial at the first term of said court held at Albertville.

Section 5. That the clerk of the circuit court of Marshall county shall procure and keep all necessary dockets and records for the court and attend upon every term of the circuit court held at Albertville with all the dockets and files pertaining to cases triable therein and such other dockets as he is required by law to have in court.

Section 6. That the sheriff of Marshall county shall serve or execute all papers and process issued by the clerk and shall attend upon each term of the court, and shall procure for the use of the court all digests and law books owned by the county, and for the transportation thereof the commissioners' court of the county shall issue a warrant payable to the sheriff for the amount actually expended by him for this purpose.

Section 7. That all summons of process issued under the provisions of this act shall be returnable to the Albertville division of the circuit court of Marshall county and triable at Albertville, and should any suit be made returnable contrary to the provisions of this act against any person who is entitled to have his cause tried either in the circuit court of the county or in the Albertville division of the circuit court of Marshall county, he may on motion or plea made and filed at the first term thereafter within the time for pleading have such suit transferred by order of the court to the proper docket and trial had in the proper court.

Section 8. That jurors shall be drawn and summoned for each term of the circuit court at Albertville in the same manner as now prescribed by law for drawing and summoning jurors in the circuit court, and shall be paid

for their attendance and mileage in the same manner and amount.

Section 9. Witnesses shall be summoned to attend on the court at Albertville in all cases triable in the Albertville division of Marshall circuit court in the same manner and under the same penalties and for the same compensation as allowed and provided for by law.

Section 10. That this act shall not become effective until it be submitted to the qualified voters of Marshall county, at a special election to be held on the 1st Monday in December, 1907, under the same rules and regulations and penalties as govern general elections except as herein provided.

Section 11. That if before the 1st day of October, 1907, there shall be deposited by the persons desiring the establishment of the Albertville division of the circuit court of Marshall county, with the treasurer of Marshall county, the sum of six hundred dollars in cash for the purpose of paying the expenses of the election herein provided for and the treasurer shall so certify in writing to the sheriff of Marshall county, the sheriff shall immediately give notice by posters and in every newspaper published in the county of the holding of such election, the purpose and time as in general elections, which notice shall be published continually until such election is held. During the first week in November, 1907, the probate judge, clerk of the circuit court and the sheriff of Marshall county shall, as in general elections, appoint managers, clerks and returning officers for the several precincts. It shall be the duty of the county officials of Marshall county, whose duty it is to order and prepare for the general elections, to provide ballots as follows: A plain ballot not exceeding six inches long and three inches wide and thereon printed "For Albertville Branch Court" with blank space to the left of such words, and the voter favoring such branch court will make a cross mark (x) therein. On the ballot shall be printed "Against Albertville Branch Court" with blank space to the left of such words, and the voter not favoring the establishment of such branch court will make a cross (x) mark therein.

Section 12. The managers and clerks of such election will provide each voter with one of these ballots with the ballot prepared as for general elections and will receive the same from the voter in the same manner and deposit the same in the ballot box and will inspect, count, certify and make return, preserve and care for in the same manner as the ballots for the general elections.

Section 13. The result of such special election shall be ascertained and declared by the same officers and in the same manner as the general election.

Section 14. That when the result of the election as to the Albertville branch court shall be ascertained said officers shall certify the number of votes cast "For Albertville Branch Court" and the number of votes cast "Against Albertville Branch Court" to the court of county commissioners of Marshall county, and the court of county commissioners shall cause such report to be spread upon the minutes of such court and if a majority of all the voters voting at such election have voted for "Albertville Branch Court" the commissioners' court shall enter an order on the minutes thereof "That a majority of the voters of Marshall county voting at the special election held in this county having voted 'For Albertville Branch Court', it is therefore ordered and declared that the circuit court of Marshall county will be held at Albertville according to the provisions of an act entitled an act to provide for the holding of two terms each year of the circuit court of the Ninth judicial circuit at Albertville, in Marshall county, and to regulate the same." Upon making this order there shall be held at Albertville, in a building to be provided by the court of county commissioners on a lot not more than one mile from the depot of the N. C. & St. L. Ry. in Albertville and at least five hundred feet from the railroad of any manufacturing plant, and such lot abutting on a public street on four sides containing not less than one acre of land, two terms of the circuit court of Marshall county for the trial of causes as provided in section 1 of this act, at the time herein specified.

Section 15. If a majority of the voters voting at such election have not voted "For Albertville Branch Court"

the commissioners' court will make an order on the minutes "That a majority of the voters of Marshall county voting at the special election held in this county did not vote 'For Albertville Branch Court' and thereafter this act shall have no further force or effect.

Should the sum of six hundred dollars not be deposited with the county treasurer of the county as herein provided for before the first day of October, 1907, then the election herein provided for shall not be held and this act shall have no further force or effect.

Was adopted.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Heacock	Merritt	Reynolds
Bayles	Hinson	Miller	Spragins
Davis	Horton	Moody	Strother
Glenn	Jones	McWhorter	Teasley
Gunn	King	Overton	Wilson
Hamner	Leith	Reese	Wimberly
Hayes	Lusk	Reynolds	

—26.

And said bill, as thus amended, was read a third time, at length, and passed.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Barbour	Hinson	Moody	Strother
Gardner	Jones	McWhorter	Teasley
Glenn	Leith	Overton	Thomas
Gunn	Lowe	Reese	White
Hamner	Lusk	Reid	Wilson
Hayes	Merritt	Reynolds	Wimberly
Heacock	Miller	Spragins	

—27.

The bill:

H. 1183. For the relief of Mrs. Mary Jane Vernon, widow and sister of G. B. Alexander, a confederate pensioner.

Was taken up.

The following amendment offered by the committee, to-wit: "Amend portion of bill by striking out the words 'widow and.'"

Was, upon motion, laid upon the table.

And said bill was read a third time, at length, and passed.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Heacock	Moody	Spragins
Bayles	Hinson	McWhorter	Strother
Davis	Horton	Overton	Teasley
Gardner	Jones	Reese	Thomas
Glenn	Leith	Reid	Wilson
Gunn	Lusk	Reynolds	Wimberly
Hayes	Merritt		

—26.

The bill:

H. 1051. To provide for the payment by the county of Escambia of all accounts for postage used by certain officers of said county.

Was read a third time, at length, and passed.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Bayles	Heacock	Merritt	Reynolds
Davis	Hinson	Miller	Spragins
Doster	Jones	Overton	Strother
Gardner	Leith	Reese	Wilson
Gunn	Lowe	Reid	Wimberly
Hamner			

—21.

The bill:

H. 1050. To prescribe the duties, fix the fees and commissions of the deputy solicitor of Escambia county, Alabama, and make disposition of the residue of the fees and commissions earned by such solicitor.

Was read a third time, at length, and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Bayles	Heacock	Lusk	Reid
Davis	Hinson	Merritt	Reynolds
Doster	Horton	Miller	Spragins
Gardner	Jones	Moody	Strother
Hamner	Leith	Overton	Wilson
Hayes	Lowe	Reese	Wimberly

—24.

The bill:

H. 898: To prohibit the sale of wine in the city of Thorsby, Alabama, in quantities less than one gallon; to prohibit the drinking of wine on the premises where sold, or in a room adjoining the premises where sold; and to provide that any person violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not less than fifty nor more than five hundred dollars and costs for each offense; and repealing all laws and parts of laws in conflict with this act.

Was read a third time, at length, and passed.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Doster	Hinson	Miller	Reynolds
Gardner	Horton	Moody	Spragins
Glenn	Jones	McWhorter	Strother
Gunn	Leith	Overton	Teasley
Hamner	Lowe	Reese	Wilson
Hayes	Lusk	Reid	Wimberly.
Heacock	Merritt		

—26.

The bill:

H. 1105. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, intoxicating bitters, cordials or other intoxicating drinks or beverages within four miles of Chappel Hill Missionary Baptist church, Cool Springs Missionary Baptist church and the Rutledge Methodist Episcopal church, south, provided, the incorporation limits of the Rutledge Methodist Episcopal church, south, shall not ex-

tend further east than the corporate limits of the town of Luverne, all in Crenshaw county, Alabama, to provide the time when it shall be in force and to fix the punishment for the violation thereof.

Was read a third time, at length, and passed.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Barbour	Hinson	Merritt	Reese
Davis	Jones	Miller	Reynolds
Gardner	Leith	Moody	Spragins
Gunn	Lowe	McWhorter	Strother
Hamner	Lusk	Overton	Wimberly
Hayes			

—21.

The bill:

H. 1165. To amend an act entitled "An act to establish a separate school district to be known as the Elba school district in Coffee county, Alabama, and to provide for the management of the public schools in said district," approved February 28th, 1901, as amended by an act approved September 28th, 1903.

Was read a third time, at length, and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Bayles	Hayes	Lusk	Reid
Davis	Heacock	Merritt	Reynolds
Forrester	Horton	Miller	Spragins
Gardner	Jones	Moody	Strother
Gunn	Leith	McWhorter	Wilson
Hamner	Lowe	Overton	Wimberly

—24.

H. 1064. To vacate and annul the dedication of the following highways and parts of highways, situated in Smithfield, Jefferson county, Alabama, according to the plans and survey of Smithfield by Dr. Jos. R. Smith, Sr., to-wit: All that part of Thomas street lying between Valley Creek canal and Salley avenue. All of Joseph street lying between Valley Creek canal and

Irene avenue. All of Mortimer street lying between Valley Creek canal and Agnes avenue. All of Agnes avenue lying between Valley Creek canal and Mortimer street.

Was read a third time, at length, and passed.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Hinson	Miller	Reynolds
Blackmon	Horton	Moody	Spragins
Davis	Jones	McWhorter	Strother
Gunn	Leith	Overton	Teasley
Hamner	Lowe	Reese	Wilson
Hayes	Lusk	Reid	Wimberly.
Heacock	Merritt		

—26.

The bill:

H. 1162. To amend an act entitled an act to provide for holding separate terms of the circuit court for Coffee county in the Twelfth judicial circuit at Enterprise for the following portions of Coffee county, to-wit: Township 3, range 22; township 4, range 22; township 5, range 22; township 3, range 21; township 4, range 21; the east one half of township three, range 20; the following sections in township four, range 20, to-wit: 13, 22, 23, 24, 25, 26, 27, 34, 35, 36; and all that portion of the territory in township 6, range 22; township 7, range 22; township 5, range 21; township 6, range 21, lying south of Pea river, and to regulate the holding of such court; to provide buildings and accommodations therefor, making its jurisdiction within such district exclusive of the jurisdiction it exercises when sitting at Elba, in said county of Coffee, defining the powers of the judge and the clerk thereof, and regulating the drawing of its grand and petit jurors, and providing for the transfer of causes from the circuit court at Elba to said court held at Enterprise, and from the latter to the former, approved February 28, 1907.

Was read a third time, at length, and passed.

Yeas, 25; nays, 0.

Yeas :

Messrs :

Barbour	Hayes	Lowe	Reid
Bayles	Heacock	Lusk	Reynolds
Davis	Hinson	Miller	Spragins
Doster	Horton	Moody	Strother
Gardner	Jones	McWhorter	Wilson
Gunn	Leith	Overton	Wimberly
Hamner			

—25.

The bill :

H. 1229. To authorize the board of directors of the State Normal School of Jacksonville, for and in behalf of said Normal School and for and in behalf of the State of Alabama, to sell and convey to the mayor and city council of Jacksonville, a certain house and lot on or near the southeast corner of the public square of the town of Jacksonville, Alabama, the same being the house and lot formerly used and occupied by Calhoun county as a county court house, and now used by said Normal School for school purposes; the proceeds of said sale to be used and applied by said board of directors of the State Normal School at Jacksonville, for the benefit of said Normal School.

Was read a third time, at length, and passed.

Yeas, 32; nays, 0.

Messrs :

Yeas :

Barbour	Gunn	Lowe	Reynolds
Bayles	Hamner	Lusk	Spragins
Blackmon	Hayes	Merritt	Strother
Davis	Heacock	Miller	Teasley
Doster	Hinson	Moody	Thomas
Forrester	Horton	McWhorter	White
Gardner	Jones	Overton	Wilson
Glenn	Leith	Reid	Wimberly

—32.

The bill :

H. 973. To amend section two (2) of an act entitled, "An act to amend an act entitled an act to create the

office of revenue constable for Mobile county, and to prescribe his duties, approved Feb. 24th, 1887."

Was read a third time, at length, and passed.

Yeas, 27; nays, 0.

Messrs:

Yeas:

Barbour	Gunn	Leith	Reynolds
Bayles	Hamner	Lowe	Spragins
Blackmon	Hayes	Lusk	Strother
Davis	Heacock	Merritt	Thomas
Doster	Hinson	Miller	Wilson
Gardner	Horton	Overton	Wimberly.
Glenn	Jones	Reid	

—27.

The bill:

H. 1001. To amend section 1 of an act entitled "An act to establish a new charter for the town of Hart-selle in Morgan county," approved February 18th, 1899.

Was read a third time, at length, and passed.

Yeas, 29; nays, 0.

Messrs:

Yeas:

Barbour	Hamner	Lusk	Reid
Bayles	Hayes	Merritt	Reynolds
Blackmon	Heacock	Miller	Spragins
Davis	Hinson	Moody	Strother
Doster	Horton	McWhorter	Thomas
Gardner	Jones	Overton	Wilson
Glenn	Leith	Reese	Wimberly
Gunn			

—29.

The bill:

H. 999. To repeal an act entitled an act to authorize and empower the Decatur Land Co., a corporation, to list certain of its lands to the tax assessor of Morgan county in acreage, approved December 13th, 1901.

Was read a third time, at length, and passed.

Yeas, 28; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lowe	Reid
Bayles	Hayes	Merritt	Reynolds
Blackmon	Heacock	Miller	Spragins
Davis	Hinson	Moody	Strother
Doster	Horton	McWhorter	White
Glenn	Jones	Overton	Wilson
Gunn	Leith	Reese	Wimberly

—28.

The bill:

H. 1228. For the relief of T. W. Smith, clerk of the circuit court of Atauga county, Alabama.

Was read a third time, at length, and passed.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lowe	Reynolds
Bayles	Hayes	Merritt	Spragins
Doster	Heacock	Miller	Strother
Forrester	Hinson	Moody	Thomas
Gardner	Horton	McWhorter	Wilson
Glenn	Jones	Reese	Wimberly
Gunn	Leith	Reid	

—27.

The bill:

H. 1135. To repeal an "Act to provide for the establishing of a separate school district to be known as the Oxmoor district, at Oxmoor, in Jefferson county, Alabama, with certain powers and privileges of levying taxes to sustain said school," approved Feb. 9, 1877.

Was read a third time, at length, and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Barbour	Heacock	Miller	Reynolds
Bayles	Hinson	Moody	Spragins
Davis	Horton	McWhorter	Strother
Glenn	Jones	Overton	Thomas
Gunn	Leith	Reese	Wilson
Hamner	Merritt	Reid	Wimberly
Hayes			

—25.

The bill :

S. 471. To amend section one of an act approved December 7, 1896, entitled an act to amend section one of an act entitled an act to protect the fish in Deer river, East Fowl river, West Fowl river, Little river and the tributaries of those streams in Mobile county, approved February 18, 1895.

Was read a third time, at length, and passed, and same ordered sent to the House forthwith without engrossment.

Yeas, 28; nays, 0.

Yeas :

Messrs :

Barbour	Hayes	Lusk	Reid
Bayles	Heacock	Merritt	Reynolds
Davis	Hinson	Miller	Spragins
Gardner	Horton	Moody	Strother
Glenn	Jones	McWhorter	Thomas
Gunn	Leith	Overton	Wilson
Hamner	Lowe	Reese	Wimberly

—28.

The bill :

S. 476. To amend section 3 of an act entitled an act to protect and regulate the time and manner of catching and taking fish from and in the waters of the State of Alabama in the counties of Mobile and Baldwin, approved February 9, 1891.

Was read a third time, at length, and passed, and ordered sent to the House forthwith without engrossment.

Yeas, 26; nays, 0.

Yeas :

Messrs :

Barbour	Hayes	Merritt	Reynolds
Bayles	Heacock	Miller	Spragins
Davis	Hinson	Moody	Strother
Forrester	Horton	McWhorter	Thomas
Glenn	Jones	Reese	Wilson
Gunn	Leith	Reid	Wimberly
Hamner	Lowe		

—26.

The bill:

S. 530. To repeal an act entitled an act to abolish the county court of Marion county, approved February 1st, 1895, and to provide for a county court hereafter in Marion county, Alabama, under the Code as heretofore.

Was read a third time, at length, and passed, and ordered sent to the House forthwith without engrossment.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Blackmon	Hamner	Leith	Reynolds
Davis	Hayes	Lusk	Spragins
Doster	Heacock	Merritt	Strother
Gardner	Hinson	Moody	Teasley
Glenn	Horton	Overton	Wilson
Gunn	Jones	Reid	Wimberly

—24.

The bill:

H. 1023. For the relief of J. S. Baker, a confederate pensioner of Tallapoosa county, Ala.

Was read a third time, at length, and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Bayles	Hinson	Merritt	Reynolds
Davis	Horton	Miller	Spragins
Glenn	Jones	McWhorter	Strother
Gunn	Leith	Overton	Teasley
Hamner	Lowe	Reese	Wilson
Hayes	Lusk	Reid	Wimberly

—24.

The bill:

H. 1256. For the improvement of the public roads of Lowndes county.

Was read a third time, at length, and passed.

Yeas, 28; nays, 0.

Yeas:

Messrs:

Bayles	Gardner	Hamburger	Hayes
Doster	Glenn	Hamner	Heacock

Hinson	Merritt	Reese	Teasley
Jones	Miller	Reid	Thomas
Leith	Moody	Reynolds	White
Lowe	McWhorter	Spragins	Wilson
Lusk	Overton	Strother	Wimberly

—28.

The bill:

S. 558. To establish a dispensary in and for the town of Berry, in the county of Fayette, State of Alabama, and to provide for the conduct and regulation of the same.

Was read a third time, at length, and passed.

Yeas, 30; nays, 0.

Yeas:

Messrs:

Bayles	Heacock	Miller	Spragins
Davis	Hinson	Moody	Strother
Forrester	Horton	McWhorter	Teasley
Gardner	Jones	Overton	Thomas
Glenn	Leith	Reese	White
Gunn	Lowe	Reid	Wilson
Hamner	Lusk	Reynolds	Wimberly
Hayes	Merritt		

—30.

The bill:

H. 1063. To amend section 11 of an act "To regulate the trials of misdemeanors in Sumter county, approved December 8th, 1882."

Was read a third time, at length, and passed.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Barbour	Hamburger	Lowe	Reid
Bayles	Hamner	Merritt	Reynolds
Davis	Hayes	Miller	Teasley
Doster	Heacock	Moody	White
Gardner	Hinson	McWhorter	Wilson
Glenn	Jones	Overton	Wimberly
Gunn	Leith	Reese	

—27.

The bill:

H. 1061. To authorize the court of county commissioners of Sumter county to use any money in the county treasury not otherwise appropriated for the purpose of employing detectives or secret service men to ferret out and detect violations of the prohibition laws of said county.

Was read a third time, at length, and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Bayles	Hayes	Leith	Reese
Davis	Heacock	Lowe	Reynolds
Forrester	Hinson	Lusk	Spragins
Gardner	Horton	Miller	Strother
Glenn	Jones	McWhorter	Wilson
Gunn	King	Overton	Wimberly
Hamner			

—25.

The bill:

H. 1160. To provide for guards for the Montgomery county jail, and to fix the compensation for such guards.

Was read a third time, at length, and passed.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Lusk	Reynolds
Bayles	Heacock	Merritt	Spragins
Davis	Hinson	Miller	Teasley
Doster	Horton	Moody	Thomas
Gardner	Jones	McWhorter	Wilson
Glenn	Leith	Overton	Wimberly.
Hamner	Lowe	Reid	

—27.

The bill:

H. 1308. To amend sections 1, 2, 6, 7, 9, 10, 11, 15, 24, 25 and 38, of an act entitled an act to amend an act entitled an act to better provide for establishing, work-

ing and maintaining the public roads and bridges in Walker county, Alabama, approved March 6th, 1903.

Was read a third time, at length, and passed.

Yeas, 28; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lowc	Spragins
Blackmon	Hayes	Lusk	Strother
Davis	Heacock	Miller	Teasley
Doster	Horton	Moody	Thomas
Gardner	Jones	Overton	White
Glenn	King	Reid	Wilson
Gunn	Leith	Reynolds	Wimberly

—28.

The bill:

H. 1138. To appropriate the sum of \$21.60 for the year 1904 and the further sum of \$30.00 for the year 1905 and the further sum of \$30.00 for the year 1906, total \$81.60, to Mary Morris, widow of John Morris, an ex-confederate soldier, as a confederate pensioner for said years, her name having been erroneously omitted from the list of pensioners for said years.

Was read a third time, at length, and passed.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Merritt	Reid
Bayles	Heacock	Miller	Reynolds
Blackmon	Hinson	Moody	Spragins
Davis	Horton	McWhorter	Strother
Glenn	Jones	Overton	Teasley
Gunn	Leith	Reese	Wilson
Hamner	Lowc		

—26.

The bill:

H. 1002. To amend section 4 of an act entitled, "An act to incorporate the town of Somerville in Morgan county, Alabama," approved February 3rd, 1872.

Was read a third time, at length, and passed.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Barbour	Heacock	Miller	Spragins
Bayles	Hinson	Moody	Strother
Davis	Horton	McWhorter	Teasley
Gardner	Jones	Overton	White
Gunn	Leith	Reese	Wilson
Hamner	Lowe	Reid	Wimberly
Hayes	Merritt	Reynolds	

—27.

The bill:

H. 861. To authorize and empower the board of mayor and aldermen of the city of Bridgeport, Jackson county, Alabama, to release manufacturing establishments within said city from the payment of city taxes.

Was read a third time, at length, and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Barbour	Hinson	Miller	Spragins
Davis	Horton	Moody	Strother
Gardner	Jones	Overton	Teasley
Glenn	Leith	Reese	White
Hamner	Lowe	Reid	Wilson
Hayes	Lusk	Reynolds	Wimberly

—24.

The bill:

H. 929. To alter or re-arrange the boundary lines of the city of Birmingham, Alabama.

Was taken up.

Mr. Overton offered the following amendment:

Amend said bill by striking out "Twenty Third street" where said words occur together and substitute in lieu thereof the words "Twenty-third avenue."

Which was adopted.

Ayes, 23; nays, 0.

Yeas:

Messrs:

Barbour	Gardner	Hamner	Heacock
Doster	Glenn	Hayes	Hinson

Horton	Lusk	Reese	Strother
Jones	Merritt	Reid	Wilson
Leith	McWhorter	Reynolds	Wimberly.
Lowe	Overton	Spragins	

—23.

Mr. Spragins offered the following amendment, to-wit:

Amend section 2 by making the same read as follows:

2. That the provisions of this act shall not go into effect until the first day of October, 1909, except as to those provisions for the holding of the election and declaration of the result herein provided for.

Also amend further by adding:

Sec. 3. That an election shall be called by the mayor of the city of Birmingham within not less than three months nor more than five months from the date of the passage and approval of this act, to determine whether or not the same shall go into effect. At such election all the qualified electors, residing within the territory described in section 1 hereof, shall be entitled to vote. There shall be an official ballot furnished by the city of Birmingham, upon which shall be printed the words, "For Greater Birmingham," and also the words, "Against Greater Birmingham." Those favoring the incorporation of the territory mentioned in section 1, into the city of Birmingham, shall manifest the same by making a cross-mark, thus, X, either before or after the words, "For Greater Birmingham"; those opposed shall manifest the same by making a cross-mark, thus, X, either before or after the words, "Against Greater Birmingham." If at such election a majority of all the legal voters participating therein shall vote in favor of Greater Birmingham, then this act shall become in full force and effect on the first day of October, 1909; but if a majority of the qualified voters participating in such election shall vote against Greater Birmingham, then this act shall be null and void.

This election shall be held under the provisions of the general laws of this State, as far as the same may be applicable and except as herein modified. Election booths

and polling places shall be provided as each polling place in the present limits of the city of Birmingham, and at each of the towns included within the territory described in section 1 of this act, and where there is no regular polling place in either of said towns or wards, the same shall be designated by the mayor of the city of Birmingham. In the unincorporated portions of the territory described in section 1 of this act, polling places shall be established when deemed necessary for the convenience of the electors residing therein, at such places as may be designated by the mayor of the city of Birmingham; if no polling place is designated in such unincorporated territory or any part thereof, then the qualified electors therein shall vote at the regular voting place at which they are accustomed to vote in general elections.

In the discretion of the mayor of the city of Birmingham, additional polling places to those provided in general elections may be established.

There shall be three managers, two clerks and one returning officer of said election at each polling place, to be appointed by the mayor of Birmingham. At least one manager at each polling place and one clerk at each polling place shall be appointed from a list of those favoring Greater Birmingham, to be furnished by the advocates of the measure, and at least one manager and one clerk opposed to Greater Birmingham shall be appointed from the list furnished by the opponents of the movement, provided such lists are so furnished; if no lists are furnished by either the advocates or opponents of the measure, then it shall be the duty of the mayor of Birmingham to see as far as practicable that those favoring and those opposing the movement shall have representation at each polling place. In addition thereto, the advocates of the measure having the matter in charge, shall have the right to designate, at each polling place on the day of election, a watcher, who may also act as challenger, and the opponents of the measure shall have the same right. Within forty-eight hours from the time of holding election it shall be the duty of the returning officer at each polling place to bring the re-

turns to the mayor of Birmingham at the city hall, and within five days from the holding of the election it shall be the duty of the mayor and aldermen of Birmingham to consolidate the returns and canvass the votes, and declare the result, acting in that respect as a canvassing board under the general laws of the State.

The mayor of Birmingham shall give notice of the day ~~of holding such election~~, and of the places of voting, in case he should in his discretion appoint any voting place in said territory in addition to the regular voting places, by publication in some newspaper published in the city of Birmingham at least once a week for four consecutive weeks, before the day of holding such election. Notice shall also be given by the mayor of Birmingham of the result of said election, within thirty days after the vote shall have been canvassed as herein provided, by publication at least twice in some newspaper published in the city of Birmingham. The managers, clerks, and returning officers of said election shall be entitled to the same compensation as managers, clerks, and returning officers in general elections, and such compensation shall be paid by the city of Birmingham as other bills of such city are paid. All vacancies caused by failure or refusal of managers, clerks, and returning officers to serve, shall be filled in the same manner as such vacancies are filled under the general election laws of the State.

Mr. Miller moved to lay Mr. Spragins' amendment on the table, which was lost.

Yeas, 13; nays, 13.

Yeas:

Messrs:

Doster	Leith	Overton	Reynolds
Glenn	Merritt	Reese	Spragins
Hayes	McWhorter	Reid	Wilson
Heacock			

Yeas:

Messrs:

Bayles	Horton	Miller	Teasley
Davis	Jones	Moody	Thomas
Gardner	Lowe	Strother	Wimberly
Hinson			

—13.

Said vote being a tie, Mr. Gray, the President of the Senate, voted nay.

Mr. Miller offered the following amendment:

Amend said bill by adding thereto section — as follows:

Section —. An election shall be held on the first Monday in August, 1909, by the qualified electors residing within the territory sought by section one hereof to be added to said city of Birmingham. At such election the question submitted shall be, "Shall the corporate limits of the city of Birmingham be extended?" which question shall be printed upon the ballots and immediately thereunder in separate lines, shall be printed the words "Yes" and "No". Those in favor of such extension shall indicate their choice by placing a cross mark opposite and either before or after the word "Yes", and those opposed by placing such cross mark opposite the word "No".

If a majority of such electors so participating in such election shall vote yes this act shall go into effect according to its terms as hereinbefore set forth. If a majority of such electors shall vote "No", then this act shall not be effective to extend, alter or rearrange the boundaries of said city of Birmingham. If such election results in a tie vote, then the mayor of said city of Birmingham shall cast the deciding vote.

Said election shall be conducted in all respects as provided by the general election laws, and under the same sanction and penalties, except as changed by the provisions hereof.

The judge of probate, sheriff and circuit clerk of Jefferson county, Alabama, must at least thirty days be-

fore said first Monday in August, 1909, designate within said territory sought to be annexed the voting places for said election at such points as to be most accessible to the voters and such voting places shall be numerous enough to conveniently accommodate all persons entitled to vote, and they shall prescribe boundaries within which voters must reside in order to vote at the respective voting places; and said county officers shall at the same time name three managers two clerks and one returning officer for each polling place, and shall publish the date of said election, a list of said voting places and the boundaries within which voters must reside in order to vote at each of said places, and a list of the officers of election at each of said voting places, once in two daily newspapers published in Jefferson county, Alabama, at least two weeks prior to the date of said election. Said sheriff shall also notify said officers of election in writing of their appointment as such, at least ten days before said election.

Each qualified elector who has resided within said territory sought to be annexed for three months next preceding said election, may vote at said election, but may vote only at the voting place designated by said county officers for voters in the territory in which he resides.

The result of said election at each polling place shall be ascertained by the officers of election upon the closing of the polls and returned to the sheriff of Jefferson county, who together with said judge of probate and circuit clerk, shall constitute a board of canvassers, which board shall canvass the returns of said election and certify and declare the result.

The judge of probate shall furnish to the managers of election at each polling place on the morning of the election by eight o'clock a metal ballot box, poll lists, tally sheets, return sheets, instructions to voters and ballots, and shall also provide voting booths; he shall also furnish said managers at said time a certified list of the qualified voters entitled to vote at the polling place where said managers are to hold the election.

Said election may be contested by any qualified elector voting at said election under the same provisions and in the same manner as provided by law for contesting the result of any regular county election.

That the expense of said election shall be paid out of the county treasury of Jefferson county on the order of the judge of probate.

The aforesaid board of canvassers shall make a certificate setting forth that an election has been held hereunder and the result of said election, which certificate shall be recorded in the office of said judge of probate in the records of conveyances and shall be notice to the world of such extension or failure to extend, as the case may be.

On motion of Mr. Overton, Mr. Miller's amendment was laid on the table.

Ayes, 14; nays, 14.

Yeas:

Messrs:

Barbour	Hamner	Lowe	Teasley
Bayles	Hinson	Miller	Thomas
Davis	Horton	Strother	Wimberly
Gardner	Jones		

—14.

Nays:

Messrs:

Doster	Lusk	Overton	Reynolds
Glenn	Merritt	Reese	Spragins
Hayes	Moody	Reid	Wilson
Heacock	McWhorter		

—14.

Said vote being a tie, Mr. Gray, the President of the Senate, voted aye.

PAIRED.

Mr. Leith announced that he and Mr. Blackmon were paired on the bill and amendments; that if Mr. Blackmon were there he would vote no and he would vote aye.

Mr. Spragins' amendment was adopted.

Yeas, 14; nays, 13.

Yeas:

Messrs:

Barbour	Hinson	Miller	Teasley
Bayles	Horton	Overton	Thomas
Davis	Jones	Strother	Wimberly
Gardner	Lowe		

—14.

Nays:

Messrs:

Doster	Lusk	McWhorter	Reynolds
Glenn	Merritt	Overton	Spragins
Hayes	Moody	Reid	Wilson
Heacock			

—13.

Mr. McWhorter offered the following amendment:

Amend by adding an additional section to read as follows:

Sec. (?). The area now included within the corporate limits of the city of North Birmingham shall be added to the area set out in the preceding sections of this bill and constitute a part of the territory in which an election shall be held and, in case the election results in favor of Greater Birmingham, shall constitute a part of the city of Birmingham.

Mr. Miller moved to lay Mr. McWhorter's amendment on the table, which was carried.

Ayes, 18; nays, 9.

Yeas:

Messrs:

Barbour	Hamner	Moody	Teasley
Bayles	Hayes	Reese	Thomas
Davis	Hinson	Reynolds	Wilson
Gardner	Horton	Strother	Wimberly
Glenn	Jones		

—18.

Nays:

Messrs:

Doster	Lusk	McWhorter	Reid
Heacock	Miller	Overton	Spragins
Lowe			

—9.

Mr. Hayes moved to take Mr. McWhorter's amendment from the table, which was lost.

Ayes, 13; nays, 14.

Yeas:

Messrs:

Bayles	Hayes	Lusk	Overton
Doster	Heacock	Moody	Reid
Glenn	Lowe	McWhorter	Spragins
Hamner			

—13.

Nays:

Messrs:

Barbour	Horton	Reynolds	Thomas
Davis	Jones	Strother	Wilson
Gardner	Merritt	Teasley	Wimberly
Hinson	Miller		

—14.

And the bill, as thus amended, was read a third time, at length, and passed.

Yeas, 14; nays, 14.

Yeas:

Messrs:

Doster	Lowe	Overton	Reynolds
Glenn	Lusk	Reese	Spragins
Hayes	Merritt	Reid	Wilson
Heacock	McWhorter		

—14.

Nays:

Messrs:

Barbour	Hamner	Miller	Teasley
Bayles	Hinson	Moody	Thomas
Davis	Horton	Strother	Wimberly
Gardner	Jones		

—14.

Said vote being a tie, Mr. Gray, the President of the Senate, voted aye.

PAIRED.

Mr. Leith announced that he and Mr. Blackmon were paired on the bill and that if Mr. Blackmon were present he would vote no and that he would vote aye.

The bill:

S. 577. To fix times and places of holding the circuit courts in the Fifth judicial circuit of Alabama.

Was taken up.

Mr. Strother offered the following amendment, to-wit:

~~A bill to be entitled an act to fix the times and places~~
of holding the circuit courts in the Fifth judicial circuit of Alabama.

Section 1. Be it enacted by the Legislature of Alabama, That the circuit courts in the Fifth judicial circuit of Alabama shall be held in each year at the following times and places:

1. In the county of Tallapoosa at Alexander City on the second Monday in February and August and may continue one week.

2. In the county of Randolph at Wedowee on the third Monday in February and August and may continue two weeks.

3. In the county of Chambers at LaFayette on the first Monday after the fourth Monday in February and August and may continue three weeks.

4. In the county of Tallapoosa at Dadeville on the fourth Monday after the fourth Monday in February and August and may continue three weeks.

5. In the county of Macon at Tuskegee on the seventh Monday after the fourth Monday in February and August and may continue three weeks.

6. In the county of Coosa at Rockford on the tenth Monday after the fourth Monday in February and August and may continue two weeks.

7. In the county of Coosa at Goodwater on the twelfth Monday after the fourth Monday in February and August and may continue two weeks.

This act shall take effect and become operative immediately on its approval by the governor, and shall be incorporated in the Code now being prepared.

Which was adopted.

Ayes, 27; nays, 0.

Messrs:

Yeas:

Bayles	Hayes	Lusk	Reynolds
Davis	Heacock	Merritt	Spragins
Doster	Hinson	Miller	Strother
Gardner	Horton	McWhorter	Teasley
Glenn	Jones	Overton	Wilson
Gunn	Leith	Reese	Wimberly
Hamner	Lowe	Reid	

—27.

And the bill, as thus amended, was read a third time, at length, and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Merritt	Spragins
Bayles	Heacock	Miller	Strother
Davis	Horton	McWhorter	White
Glenn	Jones	Overton	Wilson
Gunn	Leith	Reese	Wimberly
Hamner	Lowe	Reynolds	

—24.

RECESS.

The hour of five-thirty having arrived, the Senate took a recess until eight o'clock p. m.

NIGHT SESSION.

Monday, July 29, 1907.

The Senate reassembled at 8:30 o'clock p. m.

ROLL CALL.

Upon a call of the roll a quorum of the Senate was present.

RESOLUTIONS.

Mr. Reese offered the following resolutions:

Resolved, that Senate bill 589, To amend sections 1 and 3 of an act entitled an act "To prohibit the sale of adulterated cotton seed meal fertilizer, to have the same analyzed and a guaranteed analysis printed on tags and tags attached to the ~~bags containing the same, and in~~ case of sales in bulk to have such analysis set forth in the contract of sale and providing penalties and punishment for violation of the provisions of this act," approved March 2, 1907, be set as a special, paramount, continuing order for next legislative day at 10:30 a. m.

And House bill 427, To appropriate four thousand dollars to the Plantersville high school, at Plantersville, Dallas county, Alabama, and to provide that the governor of Alabama be ex-officio president of the board of trustees and that the superintendent of education of Alabama, be ex-officio a member of the board of trustees, and to provide for the appointment by the governor of five other trustees; a special, paramount, continuing order for next legislative day, 10:15 a. m.

Which was read and referred to the committee on Rules.

And,

Resolved that House bill 469—John

To amend section 12 of an act to grant a new charter to the Alabama Girls' Industrial School, approved March 4, 1901, and to confer additional powers on the trustees of the school, be set as special, paramount, continuing order for next legislative day at 12 o'clock.

Which was also read and referred to the committee on Rules.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bills and ordered same sent forthwith to the Senate without engrossment:

H. 931. To regulate cities that alter or re-arrange their boundary lines so as to absorb one or more cities or towns, or extinguish the government of one or more cities or towns.

H. 1133. To authorize cities of the State of Alabama having, according to the next preceding Federal census, a population of more than thirty-five thousand, to compel the construction and maintenance of bridges, viaducts and tunnels and their approaches, over, under or across railroad tracks within the city limits, and to provide for defraying the expense of the same.

H. 1349. Authorizing the recovery and requiring the refund of any money erroneously paid, or collected for taxes, whether paid under compulsion or protest or not.

And the Speaker has appointed under S. J. R. No. 107, the following gentlemen on part of the House: Messrs. Kornegay, Tunstall, Mitchell, Williams, Seale, Goodwyn.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

The House bills in the foregoing House message were severally read one and referred to appropriate standing committees as follows:

H. 931, to Municipalities and Municipal Organizations.

H. 1133, to Commerce and Common Carriers.

H. 1349, to Revision of Laws.

MESSAGE FROM THE HOUSE.

The Speaker of the House having signed the following House bills your signature thereto is requested:

H. 1102. To amend sections 8 and 10 of an act entitled an act to authorize the cities of Tuscumbia and Sheffield, and the towns of Leighton and Cherokee, in Colbert county to establish and operate dispensaries in such incorporated cities and towns, for the purpose of buying and selling spirituous, vinous and malt liquors, and to provide for the distribution of certain profits

arising therefrom, and to further regulate or prohibit the sale of such liquors in said county, approved February 15th, 1907, and to amend said act by adding sections 19 and 20 thereto.

H. 1119. To declare the ownership of all books of record, all books of every character kept by any officer of the circuit court of Henry county at Dothan and Columbia, and all papers of every character pertaining to any cause, civil or criminal, theretofore disposed of, or pending or originating in said courts and not finally disposed of, including indictments where no arrests had been made, at the time of the organization of the county of Houston to be the property of Houston county and same to be kept in the office of the clerk of the circuit court of Houston county; to give the circuit court of Houston county jurisdiction of all such causes, civil or criminal, including indictments, where no arrest had been made at the time of the organization of said Houston county, except where the defendant was at the time of the commission of the offense alleged, in what is now Henry county, in which latter event the circuit court of Henry county shall have jurisdiction of the offense; to prescribe the duties and powers of the clerk of the circuit court of Houston county and of the sheriffs of their respective counties with reference to the issuance of process and the execution thereof in such causes, and to ratify and confirm all orders and judgments and proceedings of the circuit courts of Henry and Houston counties in any of said causes, and the acts of the clerks of the circuit courts of said counties and of the sheriffs of their respective counties, within their powers and duties, in and about any of said causes, including the issuance of capias and arrests thereon, on indictments returned to said circuit courts of Henry county at Dothan and Columbia, and to declare same of legal force and effect the same as though such cases had originated in said circuit courts of Houston or Henry counties.

H. J. R. 316. Relative to the printing of two thousand copies of the municipal code bill by the Secretary of State.

H. 1013. To provide for the payment out of the county treasury of Shelby county, Alabama, the sum of \$336.91 as the salary or compensation and expenses of the State examiner while engaged in making an examination of books and accounts of the various county officers of said county of Shelby as they pertain to the county affairs, and to make said claim a preferred claim against said treasury.

H. J. R. 288. Relative to the instructing our Senators and requesting our Representatives in Congress to use their influence to have money appropriated to open and clean out the Cahaba river.

H. 1030. To amend sections two, twenty-seven and thirty-three of an act entitled an act to establish the Walker county law and equity court, approved December 5th, 1900, and to amend section one of an act approved February the 15th, 1901, entitled an act to amend sections eight, nine and twenty-six of an act entitled an act to establish the Walker county law and equity court, approved December 5th, 1900 .

H. 1112. To provide for the better construction, repairing, working, and maintaining the public roads in Franklin county, Alabama.

H. 1035. To provide for the election of a county solicitor for Wilcox county, to define his duties and fix his compensation.

H. 913. For the maintenance, improvement and protection of the public roads and bridges of Cullman county, Alabama, and to provide for a special road tax therefor; also for the purchase of implements, teams and other things necessary in the construction, and improvement of same; to pay for the same either out of the general fund for the county or the special road and bridge fund; to provide for the appointment by the commissioners court of said county, of a road superintendent or superintendents and surveyor or surveyors, fixing their pay, defining their duties and conferring special powers on the commissioners court of said county; providing for the method of employing hands and how certain parties may be required to take out a license

for the use of said public roads; providing the method of appointing apportioners and overseers and defining their duties, and how they can be excused from serving as such; defining the road year and those liable to road duty the time they may be required to work; prescribing the manner in which they may pay in lieu of work to the tax collector of said county, and his duty as to same, and the method of warning hands, and defining those who are exempt from road duty.

H. 876. To divide St. Clair county into two chancery districts, to provide for holding court therein, to authorize the appointment of a register for each of said districts, and to prescribe his duties.

H. 1017. To authorize Talladega county, Alabama, to build and construct macadam, chert and gravel public roads and the necessary bridges and culverts and drainways therefor, and to issue bonds of said county, to aid in the construction thereof.

And the House has concurred in the Senate amendment to H. 929 and H. 953.

Cyrus B. Brown, Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read at length by the secretary, signed the above House bills, the titles of which are set out in the foregoing message from the House, the reading at length of said bills having been dispensed with by a two-thirds vote of a quorum of the Senate present.

BILLS ON THIRD READING.

The bill:

H. 895. To repeal an act entitled an act to provide for the election of the county superintendent of education by a vote of the legal electors of Covington and Bullock counties, approved February 17th, 1885, so far as the same relates to Bullock county.

Was read a third time, at length, and passed.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Horton	Miller	Reynolds
Blackmon	Jones	Moody	Spragins
Gardner	King	McWhorter	Strother
Hamner	Leith	Overton	Thomas
Hayes	Lowe	Reese	Wilson
Heacock	Lusk	Reid	Wimberly
Hinson	Merritt		

—26.

The bill:

H. 1268. To allow the sheriff of Bullock county, Alabama, for fees for attendance upon the trial of any habeas corpus case before any judge or court, and to authorize the commissioners' court of said county, to pay the same out of the general fund of the county treasury.

Was read a third time, at length, and passed.

Yeas, 28; nays, 0.

Yeas:

Messrs:

Barbour	Hinson	Miller	Spragins
Bayles	Horton	Moody	Strother
Blackmon	Jones	McWhorter	Teasley
Davis	Leith	Overton	Thomas
Hamner	Lowe	Reese	White
Hayes	Lusk	Reid	Wilson
Heacock	Merritt	Reynolds	Wimberly

—28.

The bill:

H. 1126. To amend section 28 of an act entitled "An act to establish the city court of Bessemer" approved February 28th, 1901.

Was read a third time, at length, and passed.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Barbour	Forrester	Hamner	Jones
Blackmon	Gardner	Hayes	Leith
Davis	Glenn	Heacock	Lowe
Doster	Gunn	Hinson	Lusk

Merritt	Overton	Reynolds	Teasley
Miller	Reese	Spragins	Wilson
Moody	Reid	Strother	Wimberly
McWhorter			—29.

The bill:

H. 955. To amend an act entitled an act to regulate the city court of Birmingham in the practice and procedure in said court; to provide for judges thereof, their election, term of office, removal, power and salary; for the election, term of office, bond, removal and duties of the clerk and register thereof; and to provide suitable court rooms and places, dockets, stationery and other supplies for the holding of said court," approved February 26th, 1907.

Was read a third time, at length, and passed.

Yeas, 30; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lowe	Spragins
Bayles	Hayes	Lusk	Strother
Blackmon	Heacock	Merritt	Teasley
Davis	Hinson	Miller	Thomas
Doster	Horton	Overton	White
Gardner	Jones	Reese	Wilson
Glenn	King	Reynolds	Wimberly
Gunn	Leith		

—30.

The bill:

H. 1244. To relieve and exempt the Alabama State Fair and Exhibit Association and all persons, firms or corporations who conduct business with said association on its fair grounds in Jefferson county, during the annual fairs of said association from the payment of all State, county and municipal taxes and licenses.

Was read a third time, at length, and passed.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Heacock	Miller	Keynolds
Bayles	Hinson	Moody	Spragins
Blackmon	Horton	McWhorter	Strother
Doster	Jones	Overton	Thomas
Gardner	Leith	Reese	Wilson
Glenn	Lowe	Reid	Wimberly
Hayes	Merritt		

—26.

The bill:

H. 1197. To provide for an election in Perry county, Alabama, to determine whether spirituous, vinous and malt liquors shall be sold in said county after January 1st, 1909, to provide for holding said election and for other purposes.

Was read a third time, at length, and passed.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Lusk	Reid
Blackmon	Heacock	Merritt	Spragins
Doster	Hinson	Miller	Strother
Gardner	Horton	Moody	Thomas
Gunn	Jones	McWhorter	Wilson
Hamburger	Leith	Overton	Wimberly
Hamner	Lowe	Reese	

—27.

The bill:

H. 904. To prohibit and punish the selling, bartering or exchanging of spirituous, vinous or malt liquors, or intoxicating drinks in the county of Colbert, after the first day of August, 1907, except in dispensaries located in the cities of Tuscumbia and Sheffield, and the towns of Leighton and Cherokee, in said county, and to allow the sale of grape wine under certain conditions.

Was read a third time, at length, and passed.

Yeas, 29; nays, 0.

Yeas :

Messrs :

Barbour	Heacock	Merritt	Reynolds
Bayles	Hinson	Miller	Spragins
Davis	Horton	Moody	Strother
Doster	Jones	McWhorter	Teasley
Gardner	Leith	Overton	Thomas
Glenn	Lowe	Reese	Wilson
Gunn	Lusk	Reid	Wimberly
Hamner			

—29.

The bill :

H. 1103. To amend section 9 of an act entitled an act to authorize the cities of Tuscumbia and Sheffield and the towns of Leighton and Cherokee in Colbert county to establish and operate dispensaries in such incorporated cities and towns, for the purpose of buying and selling spirituous, vinous and malt liquors, and to provide for the distribution of certain profits arising therefrom, and to further regulate or prohibit the sale of such liquors in the said county, approved February 15th, 1907.

Was read a third time, at length, and passed.

Yeas, 27 ; nays, 0.

Yeas :

Messrs :

Barbour	Hamner	Lowe	Reynolds
Bayles	Hayes	Lusk	Spragins
Blackmon	Heacock	Merritt	Strother
Doster	Hinson	Miller	Teasley
Gardner	Horton	Moody	Thomas
Glenn	Jones	McWhorter	Wilson
Gunn	Leith	Reid	Wimberly

—27.

The bill :

H. 879. To dissolve the quarantine board of Mobile bay and provide for the disposition of its assets.

Was read a third time, at length, and passed.

Yeas, 29 ; nays, 0.

Yeas:

Messrs:

Barbour	Heacock	Merritt	Reynolds
Blackmon	Hinson	Miller	Spragins
Doster	Horton	Moody	Strother
Gardner	Jones	McWhorter	Teasley
Glenn	Leith	Overton	Thomas
Gunn	Lowe	Reese	Wilson
Hamner	Lusk	Reid	Wimberly
Hayes			

—29.

The bill:

S. 447. To fix and provide for the compensation of performances of ex-officio services of the sheriff of Dallas county, Alabama, including the empaneling of grand juries and services in regard to elections and all other public services for which no other compensation is provided.

Was read a third time, at length, and passed.

Yeas, 25; nays, 1.

Yeas:

Messrs:

Barbour	Hamner	Lowe	Spragins
Bayles	Hayes	Miller	Strother
Blackmon	Heacock	Moody	Teasley
Doster	Hinson	Overton	Thomas
Gardner	Jones	Reese	Wilson
Glenn	Leith	Reid	Wimberly
Gunn			

—25.

Nays: Mr. Lusk—1.

And ordered sent to the House forthwith without engrossment.

The bill:

H. 1315. To establish a dispensary in and for the town of Andalusia, in the county of Covington, in the State of Alabama, and to provide for the conduct and regulation of the same.

Was read a third time, at length, and passed.

Yeas, 26; nays, 0.

Yeas :

Messrs :

Barbour	Hinson	Moody	Spragins
Blackmon	Horton	McWhorter	Strother
Doster	Jones	Overton	Teasley
Gardner	Leith	Reese	Thomas
Hamner	Lowe	Reid	Wilson
Hayes	Merritt	Reynolds	Wimberly
Heacock	Miller		

—26.

The bill:

H. 1155. To prevent and punish any person, firm or corporation residing in or doing business within any stock law district in Covington county enclosed by any fence or fences from turning any stock prevented from running at large within such stock law district in or on any territory within said county where any such stock are prohibited by law from running at large in non-stock law districts in said county; making the violation of such act a misdemeanor, and providing that the act take effect from and after its passage and approval by the governor.

Was read a third time, at length, and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Barbour	Heacock	Merritt	Spragins
Blackmon	Hinson	Miller	Strother
Doster	Horton	Overton	Teasley
Glenn	Jones	Reese	Thomas
Hamner	Leith	Reid	Wilson
Hayes	Lowe	Reynolds	Wimberly

—24.

The bill:

H. 890. To further prescribe the official duties of the deputy solicitor of Bibb county, Alabama.

Was read a third time, at length, and passed.

Yeas, 27; nays, 0.

Yeas :

Messrs :

Barbour	Hinson	Miller	Spragins
Blackmon	Horton	Moody	Strother
Glenn	Jones	McWhorter	Teasley
Gunn	Leith	Overton	Thomas
Hamner	Lowe	Reese	Wilson
Hayes	Lusk	Reid	Wimberly
Heacock	Merritt	Reynolds	

—27.

The bill :

H. 1221. To prohibit the running or operating of billiard or pool tables for the use of which money or other things of value is charged, within the county of Madison, except within the corporate limits of the incorporated towns or cities thereof.

Was read a third time, at length, and passed.

Yeas, 29; nays, 0.

Nays :

Messrs :

Barbour	Hamner	Miller	Spragins
Bayles	Hayes	Moody	Strother
Blackmon	Heacock	McWhorter	Teasley
Davis	Hinson	Overton	Thomas
Doster	Horton	Reese	White
Gardner	Leith	Reid	Wilson
Glenn	Merritt	Reynolds	Wimberly
Gunn			

—29.

The bill :

H. 933. To vacate and annul as public streets or highways that portion of First street in the town of North Birmingham, Alabama, beginning fifty feet south of Seventh alley, and running thence south to the Southern Railway right-of-way, and that portion of Second street in the town of North Birmingham, Alabama, running from the south line of Seventh alley, south to the north line of Eighth alley, both according to the map of the North Birmingham Land Company; and to annul and extinguish the dedication thereof.

Yeas, 26; nays, 0.

Was read a third time, at length, and passed.

Messrs:

Yeas:

Barbour	Glenn	Leith	Reid
Bayles	Gunn	Merritt	Reynolds
Blackmon	Hamner	Miller	Spragins
Davis	Hayes	Moody	Strother
Doster	Heacock	McWhorter	Teasley
Forrester	Hinson	Overton	Wimberly
Gardner			

—26.

H. 1316. To vacate, abolish and annul as alleys, streets or public highways, the following streets and alleys, as shown and contained in the map of the property of the North Birmingham Land Company, in Jefferson county, Alabama, to-wit: the alleys running east and west through the center of blocks numbered 214 and 234 and lying between the west line of 14th street and the east line of 15th street; also that portion of Sixth avenue lying along the north of said block 214 and south of what is known as the Jonesville road, as now located at said point; also that portion of Seventh avenue lying between the west line of 14th street and the east line of 15th street; also that portion of 8th avenue lying west of the west line of 14th street and south of block 234; and to annul and extinguish the dedication thereof.

The bill:

Was read a third time, at length, and passed.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	McWhorter	Spragins
Bayles	Heacock	Overton	Strother
Blackmon	Leith	Reese	Thomas
Davis	Lusk	Reid	Wilson
Glenn	Miller	Reynolds	Wimberly
Gunn	Moody		

—22.

The bill:

S. 552. To fix the times and places of holding the chancery court in the Northeastern chancery division of Alabama.

Was taken up.

The following amendment was offered by the committee:

Amend by striking out of subdivisions 7 and 8 of section 1 the words "third Monday in April and October" where they occur and insert in lieu thereof "first Monday after the fourth Monday in April and October."

Amend by striking out subdivisions 9 and 10 of section 1 the word "second" where it occurs and insert in lieu thereof the word "fourth."

Which was adopted.

Ayes, 23; nays, 0.

Yeas:

Messrs:

Barbour	Jones	McWhorter	Strother
Blackmon	Leith	Overton	Teasley
Gardner	Lowe	Reese	Thomas
Hamner	Merritt	Reid	Wilson
Hinson	Miller	Reynolds	Wimberly
Horton	Moody	Spragins	

—23.

And the bill, as thus amended, was read a third time, at length, and passed.

Ayes, 24; nays, 0.

Yeas:

Messrs:

Barbour	Heacock	Moody	Spragins
Blackmon	Jones	McWhorter	Strother
Forrester	Lowe	Overton	Teasley
Gunn	Lusk	Reese	Thomas
Hamner	Merritt	Reid	Wilson
Hayes	Miller	Reynolds	Wimberly

—24.

The bill:

H. 798. To refund and pay back to the town of Camp Hill certain dispensary State license money collected

and paid into the State treasury under and by virtue of the provisions of an act entitled an act to better provide for the revenue of this State, approved March 4th, 1903, for the privilege of operating a dispensary in the town of Camp Hill under an act entitled an act to establish and maintain and regulate a dispensary in the town of Camp Hill, Tallapoosa county, Alabama, approved September 26, 1903, which said act was declared unconstitutional and void, and said dispensary closed and not operated after the 31st day of March, 1904.

Was read a third time, at length, and passed.

Ayes, 18; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Merritt	Teasley
Bayles	Jones	Moody	Thomas
Doster	Leith	McWhorter	Wilson
Gardner	Lowe	Strother	Wimberly
Hamner	Lusk		

—18.

The bill:

H. 1269. For the relief of Mrs. Catherine Morrison.

Was read a third time, at length, and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Miller	Strother
Bayles	Jones	Moody	Teasley
Blackmon	Leith	McWhorter	Thomas
Doster	Lowe	Overton	Wilson
Gardner	Lusk	Reynolds	Wimberly
Hamner	Merritt	Spragins	

—23.

The bill:

H. 985. For the relief of Walter-Cotter Co., on expired license as future dealers.

Was read a third time, at length, and passed.

Yeas, 19; nays, 2.

Yeas:

Messrs:

Barbour	Jones	Miller	Strother
Hamner	Leith	McWhorter	Teasley
Hayes	Lowe	Reese	Thomas
Heacock	Lusk	Reynolds	Wimberly
Hinson	Merritt	Spragins	

—19.

Nays: Messrs. Bayles and Wilson—2.

The bill:

H. 531. For the relief of Beverley Jackson, alias Beverley Green.

Was read a third time, at length, and passed.

Yeas, 17; nays, 1.

Yeas:

Messrs:

Barbour	Merritt	Overton	Spragins
Hayes	Miller	Reese	Thomas
Jones	Moody	Reid	Wilson
Lowe	McWhorter	Reynolds	Wimberly.
Lusk			

—17.

Nays: Mr. Bayles—1.

The bill:

H. 866. To extend and change the corporate limits of the town of Carrollton in Pickens county, Alabama.

Was read a third time, at length, and passed.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Barbour	Jones	Miller	Spragins
Bayles	Leith	Moody	Strother
Doster	Lowe	McWhorter	Thomas
Gardner	Lusk	Reese	Wilson
Gunn	Merritt	Reynolds	Wimberly
Hayes			

—21.

The bill:

H. 1040. For the relief of T. P. Southerland, treasurer of Winston county.

Was read a third time, at length, and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Barbour	Jones	Moody	Spragins
Bayles	Leith	McWhorter	Strother
Gardner	Lowe	Overton	Teasley
Hayes	Lusk	Reese	Thomas
Hinson	Merritt	Reid	Wilson
Horton	Miller	Reynolds	Wimberly

—24.

The bill:

H. 1043. To repeal sections two and three of an act "entitled an act to repeal an act to increase the number of grand and petit jurors in Winston county and to provide and designate the number of petit jurors drawn in said county," approved Dec. 10, 1886.

Was read a third time, at length, and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Barbour	Leith	McWhorter	Strother
Bayles	Lowe	Overton	Teasley
Gardner	Lusk	Reese	Thomas
Hamner	Merritt	Reid	Wilson
Hayes	Miller	Reynolds	Wimberly
Jones	Moody	Spragins	

—23.

The bill:

H. 1055. For the relief of C. D. Horn; to authorize the court of county commissioners of Sumter county to issue a new warrant in favor of said C. D. Horn in lieu of warrant No. 12216 which was barred before being presented for payment.

Was read a third time, at length, and passed.

Yeas, 21; nays, 2.

Yeas:

Messrs:

Barbour	Hayes	Miller	Reid
Bayles	Hinson	Moody	Reynolds
Davis	Jones	McWhorter	Spragins
Doster	Leith	Overton	Wilson
Gardner	Merritt	Reese	Wimberly
Gunn			—21.

Nays: Messrs. Hamner, Lusk—2.

The bill:

H. 1059. To prohibit the sale, barter, exchange, giving away, lending, delivery, or otherwise disposing of spirituous, vinous or malt liquors, intoxicating beverages, bitters, cordials or proprietary medicines or alcoholic drinks in Sumter county, Alabama, provided this act shall not prevent its use for religious or sacramental purposes; and to prohibit the shipping into said county by any common carrier, and the bringing into said county by any person for the use of any person other than himself any such spirituous, vinous or malt liquors, intoxicating bitters, intoxicating beverages, intoxicating cordials, or intoxicating proprietary medicines or alcoholic drinks from any place within this State, and to prohibit the procuring for another or the taking or soliciting or receiving orders for spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters, intoxicating cordials, alcoholic drinks or intoxicating proprietary medicines in said county, and to prohibit the giving of orders for spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters, intoxicating cordials, or intoxicating proprietary medicines, or alcoholic drinks by any person in said county over any telegraph or telephone line, and to prohibit the receiving or sending by any telegraph or telephone company in said county of any order for spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters, intoxicating cordials, intoxicating proprietary medicines, or alcoholic drinks to any point within this State, and to prohibit any person, firm or corporation in the State of Alabama, from shipping in-

to Sumter county, from any point in said State, spirituous, vinous or malt liquors, intoxicating bitters, intoxicating beverages, intoxicating cordials, intoxicating proprietary medicines or alcoholic drinks, and to provide penalties for all such prohibited acts, and to repeal all laws in conflict therewith.

Was read a third time, at length, and passed.

Ayes, 23; nays, 0.

Nays:

Messrs:

Hamner Lusk

Yeas:

Messrs:

Barbour	King	Moody	Strother
Gardner	Leith	McWhorter	Teasley
Hamner	Lowe	Overton	Thomas
Hayes	Lusk	Reese	Wilson
Hinson	Merritt	Reid	Wimberly
Jones	Miller	Spragins	

—23.

The bill:

H. 1214. For the relief of Mrs. M. A. Jones, widow of an ex-confederate soldier.

Was read a third time, at length, and passed.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Barbour	Heacock	Merritt	Reynolds
Blackmon	Hinson	Miller	Spragins
Gardner	Horton	Moody	Strother
Glenn	Jones	McWhorter	Teasley
Gunn	Leith	Overton	Thomas
Hamner	Lowe	Reese	Wilson
Hayes	Lusk	Reid	Wimberly

—29.

The bill:

H. 914. To vacate and annul those parts of avenues Nine and Ten, west, south of Ninth street, and those

parts of Tenth, Eleventh and Twelfth streets, west of Eighth avenue, west, in the city of Cullman, Alabama.

Was read a third time, at length, and passed.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Barbour	Hinson	Miller	Spragins
Blackmon	Horton	Moody	Strother
Gardner	Jones	McWhorter	Teasley
Glenn	Leith	Overton	Thomas
Gunn	Lowe	Reese	White
Hamner	Lusk	Reid	Wilson
Hayes	Merritt	Reynolds	Wimbicrly.
Heacock			

—29.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following bills:

S. 485. To amend section (6) six of an act entitled an act to create the office of associate judge of the city court of Gadsden; to provide for the qualification, election and appointment of such judge; to fix the term of office; to define his powers and duties and to provide for the payment of his salary.

S. 395. To amend an act entitled "An act to establish a charter for the town of Wedowee, Randolph county, Alabama," approved February 8, 1901.

S. 495. To create a board of education for the Huntsville school district of Madison county, Alabama, to provide for the election of their successors, to define the powers and duties of said board and provide for the management, support and maintenance of the public schools of said district.

S. 592. To amend section 1 of an act entitled an act to alter, rearrange and extend the corporate limits of the city of Mobile, Alabama," approved March 2, 1907.

S. 196. To provide for the election of only one justice of the peace for each precinct within or partly with-

in the city of Montgomery; and to define the powers and jurisdiction of said justices of the peace.

S. 547. To appropriate the sum of \$537.72 to pay the expenses of the Fertilizer and Cotton Seed Oil Mill Investigating committee and for the disbursement of the same.

S. 548. For the relief of Mrs. M. J. Smyley of Marengo county, the widow of a confederate soldier.

And returns same herewith to the Senate.

Cyrus B. Brown,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bills and ordered the same sent forthwith to the Senate without engrossment:

H. 1378. To allow cities and towns to issue bonds to pay outstanding indebtedness not evidenced by bonds.

And sends the same herewith to the Senate.

H. 1360. To prohibit the re-opening of dispensaries for the sale of liquors which have been closed and have ceased to do business, unless re-established as provided by the act approved Feb. 26, 1907, or the act approved March 6, 1907.

And sends the same herewith to the Senate.

H. 1369. For the relief of A. J. Brooks, of Jefferson county, Alabama.

And sends the same herewith to the Senate.

H. 1344. To authorize the county board of education of Chambers county to establish a high school anywhere in the county.

And sends the same herewith to the Senate, with notice and proof attached and herewith exhibited as follows, to-wit:

NOTICE OF SPECIAL LAW.

When the Legislature of Alabama assembles in July a bill will be introduced authorizing the county board

of education of Chambers county to establish a high school anywhere in the county. J. P. Neff.

The State of Alabama, }
Chambers County. }

S. H. Oliver, being duly sworn, deposes and says that he is the proprietor of the LaFayette Sun, a weekly newspaper published at LaFayette, in Chambers county, Alabama, and that the foregoing notice of a special law authorizing the county board of education of Chambers county to establish a high school anywhere in the county, has been published in the LaFayette Sun for four consecutive weeks, beginning with the issue of said paper for June 19th, 1907. S. H. Oliver.

The State of Alabama, }
Chambers County. }

Before me, A. J. Driver, Jr., judge of probate in and for said county in said State, personally appeared S. H. Oliver, known to me, who, being duly sworn, deposes and says that the facts stated in the foregoing affidavit are true.

Given under my hand this the 17th day of July, 1907.

A. J. Driver, Jr.,
Judge of Probate.

H. 1363. To amend an act to alter and rearrange the boundaries of the city of Montgomery, extending the corporate limits of said city, approved Feb. 3, 1903.

And sends the same herewith to the Senate, with notice and proof attached and herewith exhibited as follows, to-wit:

The State of Alabama, }
Montgomery County. }

Before me, Gulley Zirkle, a notary public in and for said county and State, personally appeared A. S. Allen, who, being first duly sworn, deposes and says, that he is an employe of the Montgomery Times, a newspaper published in the city of Montgomery and State of Ala-

bama; that the following notice was published in said Montgomery Times for four consecutive weeks, on the following dates: June 12th, June 19th, June 26th, and July 3rd, said notice reading as follows:

To Whom it May Concern:

A bill will be introduced in the Legislature of Alabama at the July, 1907, session to extend the limits of the city of Montgomery, so as to embrace the northeast quarter of section nineteen, township sixteen, range eighteen, or any portion thereof.

June 12th, 1907.

June 12, June 19, June 26, July 3.

A. S. Allen.

Sworn and subscribed to before me, this the 19th day of July, 1907.

Gulley Zirkle,
Notary Public.

H. 1376. To prohibit the sale, barter or exchange of spirituous, vinous or malt liquors or other intoxicating drinks in Henry county, and to provide punishment of violator of said act.

And sends the same herewith to the Senate, with notice and proof attached and herewith exhibited as follows, to-wit:

The State of Alabama, }
Henry County. }

Before me, R. W. Miller, a notary public in and for said county, said State, personally appeared A. U. Grouby, being duly sworn by me, deposes and says that he is proprietor, editor and manager of The Abbeville News, a weekly newspaper published in the town of Abbeville, county of Henry and State of Alabama, on Friday of each week; that the notice hereto attached or pasted, and made a part of this affidavit, was published in his said paper once a week for four successive weeks, on, to-wit: the 19th day of July, the 12th day of July, the 5th day of July and on the 28th day of June, of the year 1907.

NOTICE.

The State of Alabama, }
 Henry County. }

Notice is hereby given that there will be introduced in the Legislature of Alabama, at the adjourned term thereof when said body shall reconvene in July, 1907, for the purpose of completing the present term, a bill which shall provide: First. That no spirituous, vinous or malt liquors, or intoxicating drinks shall, after the passage of this act, be sold, bartered or exchanged in said Henry county, Alabama, by or through a dispensary, or otherwise; second, for an adequate penalty for the violation of said act; third, for the repeal of all dispensary laws, and of all other laws in conflict with said act in so far as the same may relate to or affect said Henry county. June 28th, 1907.

(Signed) A. U. Grouby.

Sworn to and subscribed before me, on this the 20th day of July, 1907.

R. W. Miller,
 Notary Public.

H. 1382. To amend an act entitled "An act to provide for an election by the qualified electors of Tuscaloosa county to determine whether the sale, barter, exchange, giving away or otherwise disposing of vinous, spirituous, or malt liquors, intoxicating beverages, bitters and proprietary medicines shall be wholly prohibited in said county, and if a majority of said electors shall vote in favor of prohibition to prohibit the sale, barter, exchange, giving away, lending, delivering or otherwise disposing of spirituous, vinous, or malt liquors, intoxicating beverages, bitters and proprietary medicines, and to prohibit the shipping into said county by any common carriers and the bringing into said county by any persons for the use of any other person than himself any such spirituous, vinous or malt liquors, intoxicating beverages, bitters or proprietary medicines from any place within this State, and to prohibit the taking or soliciting of orders for spirituous,

vinous or malt liquors, intoxicating beverages, bitters or proprietary medicines in said county, and to prohibit the giving of orders for spirituous, vinous or malt liquors, intoxicating beverages, bitters or proprietary medicines by any person in said county over any telegraph or telephone line, and to provide penalties for all such prohibited acts.

And sends the same herewith to the Senate, with notice and proof attached and herewith exhibited as follows, to-wit:

The State of Alabama, }
Tuscaloosa County. }

Before me, Fleetwood Rice, a notary public in and for said county and State, personally appeared John T. Bealle, who, being first duly sworn, deposes and says that he is the owner and publisher of the West Alabama Breeze, a newspaper published in Tuscaloosa county, Alabama, and that the notice hereto attached was published in said paper for four consecutive weeks, as follows: June 26, 1907; July 3, 1907; July 10, 1907, and July 17, 1907, the said notice being as follows:

Notice is hereby given that there will be introduced and offered for passage at the present session of the Legislature which will convene on July 9th, 1907, a bill applicable to Tuscaloosa county, substantially as follows:

A BILL

To be entitled an act to amend an act entitled "An act to provide for an election by the qualified electors of Tuscaloosa county to determine whether the sale, barter, exchange, giving away or otherwise disposing of vinous, spirituous or malt liquors, intoxicating beverages, bitters and proprietary medicines shall be wholly prohibited in said county, and if a majority of said electors shall vote in favor of prohibition to prohibit the sale, barter, exchange, giving away, lending, delivering or otherwise disposing of spirituous, vinous or malt liquors, intoxicating beverages, bitters and proprietary medicines and to prohibit the shipping into said county

by any common carriers and the bringing into said county by any person for the use of any other person than himself any such spirituous, vinous or malt liquors, intoxicating beverages, bitters or proprietary medicines from any place within this State, and to prohibit the taking or soliciting of orders for spirituous, vinous or malt liquors, intoxicating beverages, bitters or proprietary medicines in said county, and to prohibit the giving of orders for spirituous, vinous or malt liquors, intoxicating beverages, bitters or proprietary medicines by any person in said county over any telegraph or telephone line, and to provide penalties for all such prohibited acts," so as to make said act operative and effective on and after the passage of this amendment.

Jno. T. Bealle.

Sworn to and subscribed before me this the 20th day of July, 1907.

Fleetwood Rice,

Notary Public.

H. 1386. To amend section two (2) of an act entitled "An act to regulate the practice in the circuit court of Calhoun county," approved 12th day of March, 1907.

And sends the same herewith to the Senate, with notice and proof attached and herewith exhibited as follows, to-wit:

The State of Alabama, }
Calhoun County. }

Before me, I. E. Watson, clerk of the circuit court, for said State and county, personally appeared E. B. McKee, who, being duly sworn, deposes and says on oath that he is the general manager of the Evening Star Publishing Company, publishers of The Anniston Evening Star, a newspaper published in the city of Anniston, in Calhoun county, Alabama, and that the notice hereto attached was published for thirty days in The Anniston Evening Star, the first insertion of said notice being on June 19th, 1907, and the last insertion being on July 19th, 1907.

E. B. McKee,

Gen'l Mang'r Evening Star Pub. Co.

Sworn to and subscribed before me on this 19th day
of July, 1907.

I. E. Watson,
Clerk Circuit Court, Calhoun County, Alabama.

NOTICE.

Notice is hereby given that the Legislature will be ~~asked at its adjourned session to amend section 2, of an~~ act to regulate the practice in the circuit court of Calhoun county, Alabama, passed at the first session of the present legislature, so as to require plaintiff's or defendant's in demanding a jury for the trial of any cause before said court, that said jury shall be demanded not less than ten days before the first day of the term of said court at which said cause shall stand for trial.

H. 1390. To provide for the appointment of an official stenographer for the Second judicial circuit of Alabama, and to prescribe his duties and to fix his compensation.

And sends the same herewith to the Senate, with notice and proof attached and herewith exhibited as follows, to-wit:

The State of Alabama, }
County of Lowndes. }

Before me, R. L. Goldsmith, a notary public in said county and State, personally appeared Mrs. W. M. Garrett, known to me to be the owner and manager of the Citizen-Examiner, a newspaper published in said county, who, being by me first duly sworn, says on oath that the above notice was published in said Citizen-Examiner once a week for four consecutive weeks, the last publication of said notice appearing on and in the issue of July 5th, 1907.

Mrs. W. M. Garrett.

Subscribed and sworn to before me this the 20th day
of July, 1907.

R. L. Goldsmith,
Notary Public.

NOTICE.

(Exhibit A.)

Notice is hereby given that a bill will be introduced at the coming adjourned term of the Legislature of Alabama to provide for the passage of an act to create the office of circuit court stenographer for the 2nd judicial circuit of Alabama, and to provide for the appointment or election of such officer and to prescribe his duties, etc.

The State of Alabama, }
Escambia County. }

Before me, J. G. Carlovitz, a notary public in and for said county and State, personally appeared on this date William D. Sowell, who, being first duly and legally sworn, deposes and says that he is the editor and publisher of The Pine Belt News, a weekly newspaper published in the town of Brewton, county of Escambia and State of Alabama; that the notice hereto attached and marked exhibit "A" was published in said newspaper once a week for four (4) consecutive weeks, and that said notice appeared in said newspaper on the following dates, viz.: June 6th, June 13th, June 20th and June 27th, 1907.

William D. Sowell.

Sworn to and subscribed before me this the 11th day of July, 1907.

J. G. Carlovitz,
Notary Public.

NOTICE.

Notice is hereby given that a bill will be introduced at the coming adjourned term of the Legislature of Alabama to provide for the passage of an act to create the office of circuit court stenographer for the 2nd judicial circuit of Alabama, and to provide for the appointment or election of such officer and to prescribe his duties, etc.

The State of Alabama, }
Crenshaw County. }

Personally appeared before me, M. N. Rushton, a notary public in and for said county, W. B. Howard, who, being duly sworn, says on oath that he is the editor and

publisher of the Crenshaw County Critic, a newspaper published in said county, and that the notice and substance of a bill, providing for the appointment of a stenographic reporter for the Second judicial circuit of Alabama, and prescribing and defining his duties, a copy of which is hereto attached, was published in said Crenshaw County Critic once a week for four consecutive weeks before this date. This 11th day of July, 1907.

W. B. Howard.

Subscribed and sworn to before me this 11th day of July, 1907.

M. N. Rushton,
Notary Public.

NOTICE.

Notice is hereby given that a bill will be introduced at the coming adjourned term of the Legislature of Alabama to provide for the passage of an act to create the office of circuit court stenographer for the 2nd judicial circuit of Alabama, and to provide for the appointment or election of such officer and to prescribe his duties, etc.

The State of Alabama, }
Butler County. }

Before me, O. A. Lane, a notary public in and for said county and State, personally appeared Abe Lehman, who, being duly sworn, doth depose and say that he is the publisher of The Living Truth, a newspaper published weekly in Greenville, said State and county; that the public notice hereto attached was published for four consecutive weeks, beginning June 1st, 1907, and ending July 29th, 1907, without cost or charge to the State of Alabama.

Abe Lehman.

Sworn to and subscribed before me this the 17th day of July, 1907.

O. A. Lane,
Notary Public.

NOTICE.

Notice is hereby given that a bill will be introduced at the coming adjourned term of the Legislature to pro-

vide for the passage of an act to create the office of circuit court stenographer for the 2nd judicial circuit of Alabama, and to provide for the appointment or election of such officer and to prescribe his duties, etc.

The State of Alabama, }
Conecuh County. }

Before me, S. L. Tisdale, clerk of the circuit court in and for Conecuh county, Alabama, personally appeared Geo. W. Salter, Jr., who, being duly sworn, deposes and says that he is editor and publisher of The Evergreen Courant, a newspaper published weekly at Evergreen, said county and State, and that a copy of the above attached notice appeared at least once a week for four consecutive weeks in said newspaper and prior to the 3rd day of July, 1907.

Geo. W. Salter, Jr.

Subscribed and sworn to before me on this the 11th day of July, 1907.

S. L. Tisdale.

NOTICE.

Notice is hereby given that a bill will be introduced at the coming adjourned term of the Legislature of Alabama to provide for the passage of an act to create the office of circuit court stenographer for the 2nd judicial circuit of Alabama, and to provide for the appointment or election of such officer and to prescribe his duties, etc.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

The House bills in the foregoing House message were severally read once and referred to appropriate standing committees, as follows:

H. 1363, 1378, to Municipalities and Municipal Organizations.

H. 1369, to Finance and Taxation.

H. 1360, 1376, 1382, to Temperance.

H. 1386, 1390, to Judiciary.

H. 1344, to Local Legislation.

UNFINISHED BUSINESS.

The Senate then proceeded to consider the unfinished business of yesterday morning session, which was:

S. 513. To amend an act to provide for the inspection of jails and almshouses and cotton mills or factories, approved March 4, 1907, by adding section 12, to provide for a clerk to the inspector and for office expenses of the inspector.

Mr. Reid moved to reconsider the vote by which the Senate on yesterday adopted the committee amendment to said bill.

Which motion prevailed.

Mr. Reid then offered the following amendment, to-wit:

Amend the caption of the bill to read as follows:

A bill to be entitled an act to amend an act to provide for the inspection of jails and almshouses and cotton mills by adding section 12 to provide for office expenses of the inspector.

Amend said section 12 to read as follows: "All stationery and other office supplies shall be furnished to the office of the inspector as such supplies are now furnished to other officers of the capitol."

Which was adopted.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Miller	Spragins
Bayles	Heacock	McWhorter	Strother
Davis	Hinson	Overton	Teasley
Doster	Horton	Reese	Thomas
Gardner	Jones	Reid	White
Gunn	Merritt	Reynolds	Wimberly

—24.

And the bill, as thus amended, was read a third time, at length, and passed.

Yeas, 24; nays, 1.

Yeas:

Messrs:

Barbour	Hamner	Lusk	Reid
Bayles	Heacock	Merritt	Reynolds
Davis	Hinson	Miller	Teasley
Doster	Horton	McWhorter	White
Gardner	Jones	Overton	Wilson
Gunn	Lowe	Reese	Wimberly

—24.

Nays:

Nay: Mr. Spragins —1.

And the same was ordered sent forthwith to the House without engrossment.

INDEFINITE POSTPONEMENT.

On motion of Mr. Miller:

S. 536. To encourage the development of the various unused water powers in this State, by exemptions from taxation for a period of ten years.

S. 537. To encourage the manufacture of calcium cyanid (lime nitrogen) in this State by exemption from taxation for a period of ten years.

S. 540. To appropriate twenty-five hundred dollars (\$2,500.00) for the incidental and contingent expenses to be disbursed on the order of the governor.

H. 956. To provide for the appointment by the judges of the city court of Birmingham of the necessary bailiffs for said court and to fix the duties, liabilities and compensation of said bailiffs and to provide for the payment of their compensation.

Were indefinitely postponed.

ADJOURNMENT.

At 10:15 o'clock p. m., on motion of Mr. Lusk, the Senate adjourned until Thursday, the 1st day of August, 1907, at 10 o'clock a. m.

FORTY-SEVENTH DAY.

Thursday, August 1, 1907.

The Senate met pursuant to adjournment, President pro tem Thomas in the chair and presiding.

Prayer by Rev. Brooks Lawrence of Birmingham.

ROLL CALL.

Messrs :

Barbour	Hamburger	Lowe	Reynolds
Bayles	Hamner	Lusk	Spragins
Blackmon	Hayes	Merritt	Strother
Davis	Heacock	Miller	Teasley
Doster	Hinson	Moody	Thomas
Forrester	Horton	McWhorter	White
Gardner	Jones	Overton	Wilson
Glenn	King	Reese	Wimberly
Gunn	Leith	Reid	

—35.

Present :

JOURNAL.

On motion of Mr. Lowe, the reading of the journal of yesterday was dispensed with and the same was approved.

REPORTS OF COMMITTEES.

Mr. Lusk, chairman of the standing committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report :

S. 635. To amend sections 426, 427, 431, 434 and 456 of the Code of 1896.

Also,

H. 1271. To amend an act entitled "an act to establish the Morgan county law and equity court; to create and define its jurisdiction; to provide its officers, their powers, duties and compensation; to fix the terms of said court; and to prescribe rules and procedure for said court," approved Feb. 25, 1907; by adding section 37, providing that the judge of the said Morgan county law

and equity court be authorized and empowered to direct the sheriff of Morgan county to appoint a sufficient number of deputies to serve the process of this court and perform other necessary and proper duties and to provide for the compensation of the sheriff, deputies and janitor for said court; and by adding section 38, providing for the trial of all causes removed to the Morgan county law and equity court from any other court in Morgan county, and by adding section 39, providing that a session of said court may be held at any time, for such purpose as the judge of the court may determine, and for which petit and grand jurors may be summoned and empaneled and by adding section 40, providing for rendering final judgment upon forfeited bonds; and by adding section 41, providing for the investigation of charges against any defendant in the county court of Morgan county, Ala., by the grand jury of the Morgan county law and equity court.

Also,

H. 1370. To provide a commission to investigate the charges made against the management of the Insane Hospitals; to prescribe its powers and duties, and to pay the per diem, mileage and expenses thereof.

Also,

H. 182. To empower cities and towns to purchase and operate water works; to provide for the issuance of their bonds in payment for the same and to provide for the securing of the unpaid purchase money for such water works.

Also,

H. 1198. To amend sections 17 and 18 of an act to authorize cities, towns and other municipal corporations to make certain improvements on the side-walks, streets, avenues, alleys, highways or other public places of such city, town, or other municipal corporation; to construct sewers, to assess the costs of such improvements, or any part thereof, upon the property abutting such street, avenue, alley, highway, or other public place or drained by such sewers, or against the right of way of any railroad so improved or drained by such sewers; to make such assessments a lien on such property

and to regulate appeals from such assessments; to provide methods for the enforcement of such lien, and the payment of such assessments and penalties; and to authorize the issue of bonds to pay for such improvements, approved March 5, 1907.

Also,

H. 1390. To provide for the appointment of an official stenographer for the Second judicial circuit of Alabama and to prescribe his duties and to fix his compensation.

Also,

H. 1386. To amend section two (2) of an act entitled "An act to regulate the practice in the circuit court of Calhoun county," approved 12th day of March, 1907."

Also,

H. 1075. (With substitute.) To amend section 809 of the Code of 1896.

Mr. Merritt, chairman of the standing committee on Local Legislation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:

H. 977. To authorize the board of revenue and road commissioners of Mobile county to issue bonds for the purpose of improving the harbor and river front at Mobile, Alabama.

Also,

H. 1344. To authorize the county board of education of Chambers county to establish a high school anywhere in the county.

Also,

H. 1234. To authorize and direct the board of county commissioners of Crenshaw county to pay for advertising the notice and substance of local bills introduced in the Legislature for said county out of any money in the treasury not otherwise appropriated when the bill applies to the entire county, and ordered published by the representative of said county, and this act shall apply to and include the notice and substance of bills advertised at, and during the present session of the Legislature.

Also,

H. 1377. To provide for the construction, repairing, working and maintaining of the public roads of Henry county, Alabama, and to provide for the levying of a special property and per capita tax for same, and for the punishment of defaulters.

Also,

H. 1345. To amend sections 5 and 7 of an act entitled an act to provide and establish a stock law for Lamar and Fayette counties so far as the same relates to Brown's precinct number 4, in Lamar county.

Also,

H. 1372. To fix the time when the tax collector and tax assessor of Walker county shall begin the round, and to visit the several precincts of said county for the purpose of assessing and collecting taxes.

Also,

H. 1379. To repeal an act to regulate the salaries of teachers in public schools outside of any incorporated towns in Walker county, Alabama, approved March 5th, 1901.

Also,

H. 1347. To allow the circuit clerk of Lamar county an assistant clerk.

Also,

S. 628. To authorize the courts of county commissioners and courts of similar jurisdiction to appropriate money to aid municipal corporations in improving and constructing streets in towns or cities which are continuations of county roads.

Also,

H. 952. To alter and rearrange the boundary lines and corporate limits of the town of Elyton, Jefferson county, Alabama.

Also,

H. 1242. To establish an inferior court in precinct 45, in Jefferson county, Alabama, in lieu of all justices of the peace and notaries public with powers of justices of the peace, and to define the jurisdiction and powers of said court and of the judges thereof.

Also,

H. 930. To regulate the administration of the affairs of any municipal corporation which has been absorbed, or its government extinguished by the alteration or rearrangement of the boundary lines of another city or town.

Also,

H. 1096. (With amendment). To create the sixteenth judicial circuit for the State of Alabama, to be composed of the counties of Blount, Etowah and St. Clair, to confer equity jurisdiction on said court as to matters arising in Blount and St. Clair counties, and to provide for registers in chancery therein; to provide for the appointment and election of a judge and solicitor for said circuit and fix their salaries, and for the removal of pending causes and for the remanding of pending appeals to the new court; to regulate the convening of grand and petit juries in said circuit and to authorize the judge of said circuit to adopt reasonable rules of practice to facilitate the business of the courts therein; to fix the time of holding courts in said circuit and places at which such courts shall be held and to require that a jury be demanded in civil causes.

Also,

H. 997. (With amendment.) To amend section fourteen (14) of an act entitled an act, to provide for the more efficient working and keeping in repair the public roads of Morgan county; and to locate, construct, repair and keep in proper condition within the limits of said county a system of public roads of a superior grade, to be known as the county roads of said county, approved February 28th, 1901.

Mr. Miller, chairman of the standing committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:

S. 637. For the payment of the expenses of the Legislature and executive and judicial officers of the State in attending the funeral of the late Senator Pettus.

Also,

S. 638. To provide for the payment of the expenses incurred by the dookkeeper of the Senate and the door-keeper of the House.

Also,

H. 555. (With amendment.) To provide for the maintenance of the State Normal School for colored students and the complete equipment of its class rooms and work shops and to build and furnish additional buildings therefor.

Also,

H. 1369. For the relief of A. J. Brooks of Jefferson county, Alabama.

Mr. Bayles, chairman of the standing committee on Revision of Laws, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report.

H. 1320. To further regulate elections in the State of Alabama.

Mr. Reynolds, chairman of the standing committee on Education, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report:

H. 609. (With amendment.) To amend sections 6 and 19 of an act entitled an act to amend an act entitled an act to establish a uniform system for the examination and licensing of teachers of public schools, approved February 8, 1901.

Mr. Wimberly, chairman of the standing committee on Public Health, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:

H. 674. (With amendment.) To regulate the practice of medicine in the State of Alabama.

Also,

H. 261. To provide for the better protection of the people who may suffer harm by physicians or surgeons who practice their profession while in a state of intoxication.

Mr. Blackmon, chairman of the standing committee on Military, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report:

H. 1361. To make an appropriation for the payment of the expenses of confederate reunions in this State.

* Mr. King, chairman of the standing committee on Game, Fish and Forestry Preservation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report:

H. 235. To regulate hunting upon, or shooting in or across the enclosed field, pasture or other enclosure owned by or in possession of another in Walker county, Alabama.

Mr. McWhorter, chairman of the standing committee on Temperance, reported that said committee, in session had acted on the following bills and ordered same returned to the Senate with a favorable report:

H. 1376. To prohibit the sale, barter or exchange of spirituous, vinous or malt liquors, or other intoxicating drinks, in Henry county, and to provide punishment of violator of said act.

Also,

H. 1341. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, intoxicating bitters, cordials, or other intoxicating drinks or beverages within four miles of Pleasant Home Missionary Baptist church, Siloam Missionary Baptist church or Ivey Creek public school house, all in Crenshaw county, Alabama, to provide the time when it shall be in force and to fix the punishment for the violation thereof.

Also,

H. 970. To prohibit the sale, giving away, or otherwise disposing of beer, whiskey, or other intoxicating drinks or beverages, within one mile of the Barkersville Baptist church, at Pritchard, in Mobile county, Alabama, and to provide a penalty for a violation of this act.

Mr. Strother, chairman of the standing committee on Municipalities and Municipal Organizations, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:

H. 1378. To allow cities and towns to issue bonds to pay outstanding indebtedness not evidenced by bonds.

Also,

H. 1363. To amend an act to alter and rearrange the boundaries of the city of Montgomery extending the corporate limits of said city, approved Feb. 23, 1903.

Also,

H. 931. To regulate cities that alter or rearrange their boundary lines so as to absorb one or more cities or towns, or extinguish the government of one or more cities or towns.

Also,

H. 34. (With amendment.) To provide means for the extension of the corporate limits of cities having twenty-five thousand inhabitants or over, and exempting from taxation property brought within the corporate limits for certain periods of time, and fixing the rights, powers, duties, liabilities, and jurisdiction of the city over the territory brought into the corporate limits, and the rights of the inhabitants thereof, including rights relating to public schools, and to provide for the apportionment between a city and county of the road and bridge tax collected by the county on property within the city, and the expenditure of the fund by the city.

Mr. McWhorter, chairman of the standing committee on Temperance, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:

S. 634. To provide for an auditing of the dispensaries of Bibb county, Alabama, and to further regulate said dispensaries.

Also,

H. 1382. To amend an act entitled "An act to provide for an election by the qualified electors of Tusca-

loosa county to determine whether the sale, barter, exchange, giving away or otherwise disposing of vinous, spirituous or malt liquors, intoxicating beverages, bitters and proprietary medicines shall be wholly prohibited in said county, and if a majority of said electors shall vote in favor of prohibition to prohibit the sale, barter, exchange, giving away, lending, delivering or otherwise disposing of spirituous, vinous or malt liquors, intoxicating beverages, bitters and proprietary medicines and to prohibit the shipping into said county by any common carriers and the bringing into said county by any person for the use of any other person than himself any such spirituous, vinous or malt liquors, intoxicating beverages, bitters or proprietary medicines from any place within this State, and to prohibit the taking or soliciting of orders for spirituous, vinous or malt liquors, intoxicating beverages, bitters or proprietary medicines in said county, and to prohibit the giving of orders for spirituous, vinous or malt liquors, intoxicating beverages, bitters or proprietary medicines by any person in said county over any telegraph or telephone line, and to provide penalties for all such prohibited acts.

Mr. Miller, chairman of the standing committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report:

H. 1303. (With amendment.) To amend subdivision of section 1377 of the civil Code, relating to compensation of sheriffs for ex-officio services.

Mr. Bayles, chairman of the standing committee on Revision of Laws, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report.

H. 1349. Authorizing the recovery and requiring the refund of any money erroneously paid, or collected for taxes, whether paid under compulsion or protest or not.

The foregoing bills contained in said committee reports were severally read a second time and placed on the calendar.

RESOLUTIONS.

Mr. Reynolds offered the following joint resolution:

Senate Joint Resolution No. 119. Be it resolved by the Senate, the House concurring, that a commission is hereby created to consist of the chief mine inspector of the State of Alabama, two practical coal miners and two practical coal operators, to be appointed by the governor, to frame and report to the next session, general or special, of the Legislature, suitable amendments to the present mining laws of the State. Said commission shall serve without pay and shall make their report to the governor within twelve months from this date. He shall lay their conclusions and the bill prepared by them before the Legislature with his views thereon. No two of said operators shall be chosen from the same county and one of them shall be what is known as a commercial operator. The miners named above shall be chosen from different counties.

Which was read and adopted, (under a suspension of the rules).

Mr. Wilson offered the following resolution:

S. R. 120. Resolved, that House bill No. 628, now on the Senate calendar with a favorable report be made a special, paramount, continuing order next legislative day at 12 o'clock m.; said bill relates to regulation of mutual aid insurance.

Which was read and referred to the committee on Rules.

Mr. Gunter offered the following resolution:

S. R. 121. Resolved, that House bills 192 and 1209 be made special orders for 12 o'clock noon on August 2, 1907.

Which was read and referred to the committee on Rules.

REPORT FROM RULES COMMITTEE.

Mr. Gardner, from the committee on Rules, reported the following resolution:

S. R. 122. Resolved by the Senate, that beginning today the Senate convene at 8:30 o'clock in the morning and remain in session until 1 o'clock p. m.; that the Senate reconvene at ~~2:30 o'clock p. m.~~ and remain in session until 6 o'clock p. m.; that the Senate reconvene at 8 o'clock p. m. and remain in session until 11 o'clock p. m.; that after the adoption of this resolution no Senator be permitted to speak over 5 minutes on any pending question.

Resolved by the Senate that after tomorrow (Friday) no Senate bills be considered.

Which were severally read and adopted, (under a suspension of the rules).

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed and ordered sent forthwith to the Senate without engrossment the following bills:

H. 1127. To amend section 17 of an act entitled an act to provide a system of quarantine for this State, approved February 23, 1899.

H. 942. To propose amendmetns to section 194 of the constitution.

H. 1342. To amend sections 14 and 16 of an act entitled "An act to prescribe rules and regulations relating to demurrage and car service and the charges therefor and the respective rights, duties, obligations, liabilities and remedies of common carriers by rail and shippers and consignees with respect to the furnishing of empty cars and the transportation and delivery of freight and delay of shippers and consignees in the loading and unloading of cars and the receiving of freight, and charges for such delay," approved February 28, 1907.

H. 1343. To authorize the railroad commission of Alabama to modify or change any rule or regulation prescribed by statute relating to demurrage of car service and charges therefor and the respective rights, duties and obligations of common carriers by rail and shippers and consignees with respect to furnishing empty cars and the transportation and delivery of freight and delay in the loading and unloading of cars and receiving of freight and charges therefor.

H. 1328. To prescribe the qualifications and additional duties of county superintendents, and to provide a more efficient supervision for the public schools of Alabama.

H. 1381. To amend section 2574 of the Code.

H. 32. To establish reformatories for inebriates, under the government of the trustees of "The Alabama Insane Hospitals;" to regulate the admission of inebriate persons thereto, their treatment and discipline therein, and their discharge therefrom; and to appropriate \$25,000.00 to erect, furnish, and equip the necessary additional buildings therefor.

And sends the same herewith to the Senate.

And the House has adopted the following House resolution:

H. R. 330. Whereas, in engrossing H. B. 229 one section of said bill was omitted, be it resolved that the Senate be requested to return the same for correction.

And sends the same herewith to the Senate, and requests the Senate to return said bill.

C. B. Brown,
Clerk.

HOUSE MESSAGE.

The House bills in the foregoing House message were severally read once and referred to appropriate standing committees, as follows:

H. 1127, 1381, to Revision of Laws.

H. 942, 1342, 1343, to Commerce and Common Carriers.

H. 1382, to Education.

H. 32, to Public Health.

And the Senate, on motion of Mr. Lusk, concurred in H. J. R. 330, set out in the foregoing message from the House, and the secretary was directed to return to the House, House bill 229 in accordance therewith.

REPORT FROM COMMITTEE ON RULES.

Mr. Gardner, from the committee on Rules, made the following report, which was read and under a suspension of the rules, adopted:

To the Senate of Alabama:

The committee on Rules reports the following bills as special, paramount and continuing orders in the order in which they are herein enumerated, beginning to-day, in response to resolutions which have been referred to this committee, and the various bills which have by resolution been requested to be made special orders, and which are not included in the list of this report are considered as already reported by this committee.

Aug. 1, 1907.

Lucian Gardner,
Chairman.

FIRST DAY.

- S. 546.—Fertilizer.
- H. 558.—Child Labor.
- H. 1186.—Historical Records.
- H. 1107.—Governor's Contingent Fund.
- H. 1232.—Expenses Legislature.
- H. 906.—Printing Bill.
- H. 1028.—Tax Receipts.
- H. 1310.—Completing Capitol Grounds.
- H. 1083.—Furnishing.
- S. 613.—Boys' Industrial School.
- H. 421.—Soil Survey.
- S. 507.—Com. of Agr.
- S. 406.—Hop Jack.
- S. 598.—R. R. Com. Sunday Freight.
- S. 551.—Const. Amend.—Good Roads.
- S. 565.—Cotton Statistics.
- S. 600.—Monument to Confederate Soldiers.

- S. 570.—Dropped Pensioners.
- S. 589.—Cotton Seed Meal.
- S. 453. Wide Tire.
- S. 503.—Sale of Liquor by prescription.
- S. 110.—Hinson's Pistol Bill.
- S. 423.—Sale of Pistols (Reynolds).
- S. 274.—Additional election bonds.
- S. 202.—Court Stenographers.
- S. 568.—Dispensaries.
- S. 569.—Dispensaries.
- S. 280.—Water Closet.
- S. 273.—Bulletin Boards.
- S. 622.—Amend Code—Mine Inspectors.
- S. 621.—Furnish Mine Inspectors.
- S. 424.—Statistics from all schools.
- S. 486.—Amend fish and game law.
- H. 390.—Create Monument Commission.
- H. 1206.—Census of Confederate Veterans.
- H. 1094.—Rural Schools.
- H. 378.—Adm. Foreign Loan Comp.
- H. 369.—Foreign Money Lenders.
- H. 469.—Girls Industrial School.
- H. 1233.—Rushton's Pistol Bill.
- H. 714.—Practice of Law.
- H. 987.—Dog Tax.
- H. 565.—Foreign Water Companies.
- H. 300.—Suing Non-resident Companies.
- H. 218.—Nude Pictures.
- H. 923.—Soldiers over 80 years of age.
- H. 1085.—Ticks.
- H. 590.—False Pretense.
- H. 916.—Ozark School.
- H. 863.—Moundville School.
- H. 427.—Plantersville School.
- H. 35.—Consolidation of Cont. Towns.
- H. 113.—Ginning Cotton, etc.
- H. 271.—Removal of Ginners Tags.
- H. 552.—U. S. Revenue License—Publication.
- H. 324.—Negotiable Instruments.
- H. 134.—Provide collection and assessment of poll tax.
- H. 949.—Uniform Text Books.

MESSAGE FROM THE HOUSE.

Mr. President:

The following House bills having been signed by the Speaker of the House, your signature thereto is requested:

H. 1135. To repeal an act to provide for the establishing of a separate ~~school district~~, to be known as the Oxmoor district, at Oxmoor, in Jefferson county, Alabama, with certain powers and privileges, of levying taxes to sustain said school, approved February 9th, 1877.

H. 1160. To provide for guards for the Montgomery county jail and to fix the compensation for such guards.

H. 861. To authorize and empower the board of mayor and aldermen of the city of Bridgeport, Jackson county, Alabama, to release manufacturing establishments within said city from the payment of city taxes.

H. 1023. For the relief of J. S. Baker, a confederate pensioner of Tallapoosa county, Ala.

H. 1138. To appropriate the sum of \$21.60 for the year 1904 and the further sum of \$30.00 for the year 1905 and the further sum of \$30.00 for the year 1906, total \$81.60, to Mary Morris, widow of Jno. Morris, an ex-confederate soldier, as a confederate pensioner for said years, her name having been erroneously omitted from the list of pensioners for said years.

H. 1002. To amend section 4 of an act entitled "An act to incorporate the town of Somerville in Morgan county, Alabama," approved February 3rd, 1872.

H. 1063. To amend section 11 of an act "To regulate the trials of misdemeanors in Sumter county," approved Dec. 8th, 1882.

H. 1061. To authorize the court of county commissioners of Sumter county to use any money in the county treasury not otherwise appropriated for the purpose of employing detectives or secret service men to ferret out and detect violations of the prohibition laws of said county.

H. 1268. To allow the sheriff of Bullock county, Alabama, for fees for attendance upon the trial of any habeas corpus case before any judge or court, and to authorize the commissioners' court of said county to pay the same out of the general fund of said county treasury.

H. 1256. For the improvement of the public roads of Lowndes county.

H. 1165. To amend an act entitled "An act to establish a separate school district, to be known as the Elba school district, in Coffee county, Alabama, and to provide for the management of the public schools in said district," approved February 28, 1901, as amended by an act approved Sept. 28, 1903.

H. 1064. To vacate and annul the dedication of the following highways and parts of highways, situated in Smithfield, Jefferson county, Alabama, according to the plans and survey of Smithfield by Dr. Joseph R. Smith, Sr., to-wit: All that part of Thomas street lying between Valley Creek canal and Sally avenue; all of Joseph street lying between Valley Creek canal and Irene avenue; all of Mortimer street lying between Valley Creek canal and Agnes avenue; all of Agnes avenue lying between Valley Creek canal and Mortimer street.

H. 1055. For the relief of C. D. Horn; to authorize the court of county commissioners of Sumter county to issue a new warrant in favor of said C. D. Horn in lieu of warrant No. 12216 which was barred before being presented for payment.

H. 1001. To amend section 1 of an act entitled "An act to establish a new charter for the town of Hartselle in Morgan county," approved Feb. 18th, 1899.

H. 973. To amend section two (2) of an act entitled an act to amend an act entitled an act to create the office of revenue constable for Mobile county, and to prescribe his duties, approved February 24th, 1887.

H. 999. To repeal an act entitled an act to authorize and empower the Decatur Land Co., a corporation, to list certain of its lands to the tax assessor of Morgan county in acreage, approved Dec. 13th, 1900.

H. 1228. For the relief of T. W. Smith, clerk of the circuit court of Autauga county, Ala.

H. 1183. For the relief of Mrs. Mary Jane Vernor, widow and sister of G. B. Alexander, a confederate pensioner.

H. 1126. To amend Sec. 28 of an act entitled "An act to establish the city court of Bessemer," approved February 28th, 1901.

H. 1050. To prescribe the duties, fix the fees and commissions of the deputy solicitor of Escambia county, Alabama, and make disposition of the residue of the fees and commissions earned by such solicitor.

H. 1214. For the relief of Mrs. M. A. Jones, widow of an ex-confederate soldier.

H. 1221. To prohibit the running or operating of billiard or pool tables for the use of which money or other thing of value is charged, within the county of Madison, except within the corporate limits of the incorporated towns or cities thereof.

H. 879. To dissolve the quarantine board of Mobile bay and provide for the disposition of its assets.

H. 929. To alter or rearrange the boundary lines of the city of Birmingham, Ala.

H. 1040. For the relief of T. P. Southerland, treasurer of Winston county.

H. 890. To further prescribe the official duties of the deputy solicitor of Bibb county, Alabama.

H. 985. For the relief of Walter-Cotter Co., on unexpired license as future dealers.

H. 953. To provide how the salaries of circuit judges whose salaries are partly paid by the counties in which said judges hold court, shall be paid.

H. 531. For the relief of Beverley Jackson, alias Beverly Green.

H. 914. To vacate and annul those parts of avenues Nine and Ten, south of Ninth street, and those parts of Tenth, Eleventh and Twelfth streets, west of Eighth avenue, west, in the city of Cullman, Alabama.

H. 866. To extend and change the corporate limits of the town of Carrollton in Pickens county, Alabama.

H. 1051. To provide for the payment by the county of Escambia of all accounts for postage used by certain officers of said county.

H. 1269. For the relief of Mrs. Catherine Morrison.

H. 933. To vacate and annul as public streets or highways, that portion of First street, in the town of North Birmingham, Ala., beginning fifty feet south of Seventh alley, and running thence south to the Southern Railway right of way, and that portion of Second street in the town of North Birmingham, Alabama, running from the south line of Seventh alley, south, to the north line of Eighth alley, both according to the map of the North Birmingham Land Co., and to annul and extinguish the dedication thereof.

H. 898. To prohibit the sale of wine in the city of Thorsby, Ala., in quantities less than one gallon; to prohibit the drinking of wine on the premises where sold, or in a room adjoining the premises where sold; and to provide that any person violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not less than fifty nor more than five hundred dollars and costs for each offense; and repealing all laws and parts of laws in conflict with this act.

H. 1098. To provide for closing and discontinuing the dispensary operated under an act to establish a dispensary in the town of Clanton, county of Chilton, State of Alabama, and to provide for the conduct and regulation of the same, approved March 2, 1907.

H. 1043. To repeal section 2 and 3 of an act entitled "An act to repeal an act to increase the number of grand and petit jurors in Winston county, and to provide and designate the number of jurors drawn in said county," approved Dec. 10, 1886.

H. 798. To refund and pay to the town of Camphill certain dispensary and State license money collected and paid into the State treasury under and by virtue of the provisions of an act entitled an act to better provide for the revenue of the State, approved March 4th, 1903, for the privilege of operating a dispensary in the town of Camphill under an act entitled an act to establish

and maintain and regulate a dispensary in the town of Camphill, Tallapoosa county, Alabama, approved Sept. 26th, 1903, which said act was declared unconstitutional and void, and said dispensary closed and not operated after the 31st day of March, 1904.

H. 1244. To relieve and exempt the Alabama State Fair and Exhibit Association and all persons, firms or corporations who conduct business with said association on its fair grounds in Jefferson county during the annual fairs of said association from the payments of all State, county and municipal taxes and licenses.

H. 1162. To provide for holding separate terms of the circuit court for Coffee county in the Twelfth judicial circuit at Enterprise for the following portions of Coffee county, to-wit: Township 3, range 22; township 4, range 22; township 5, range 22; township 3, range 21; township 4, range 21; the east one half of township 3, range 20; the following sections in township 4, range 20, to-wit: 13, 22, 23, 24, 25, 26, 27, 34, 35, 36, and all that portion of the territory in township 6, range 22; township 7 range 22; township 5, range 21; township 6, range 21, lying south of Pea river, and to regulate the holding of such court, to provide buildings and accommodations therefor, making its jurisdiction within such district exclusive of the jurisdiction it exercises when sitting at Elba in said county of Coffee; defining the powers of the judge and the clerk thereof, and regulating the drawing of its grand and petit jurors, and providing for the transfer of causes from the circuit court at Elba to said court held at Enterprise, and from the latter to the former, approved Feb. 28th, 1907.

H. 904. To prohibit and punish the selling, bartering, or exchanging of spirituous, vinous, or malt liquors, or intoxicating drinks in the county of Colbert after the first day of August, 1907, except in dispensaries located in the cities of Tuscumbia and Sheffield, and the towns of Leighton and Cherokee, in said county, and to allow the sale of grape wine under certain conditions.

H. 1229. To authorize the board of directors of the State Normal School at Jacksonville, for and in behalf of said normal school and for and behalf of the State of Alabama to sell and convey to the mayor and city council of Jacksonville a certain house and lot on or near the south-east corner of the public square of the town of Jacksonville, Alabama, the same being the house and lot formerly used and occupied by Calhoun county as a county court house, and now used by said normal school for school purposes; the proceeds of said sale to be used and applied by said board of directors of the State Normal School at Jacksonville, for the benefit of said normal school.

H. 1308. To amend sections 1, 2, 6, 7, 9, 10, 11, 15, 24, 25 and 38 of an act entitled an act to amend an act entitled an act to better provide for establishing, working and maintaining the public roads and bridges in Walker county, Alabama, approved March 6th, 1903.

H. 1316. To vacate, abolish and annul as alleys, streets or public highways, the following streets and alleys, as shown and contained in the map of the property of the North Birmingham Land Company, in Jefferson county, Alabama, to-wit: the alleys running east and west through the center of blocks numbered 214 and 234 and lying between the west line of 14th street and the east line of 15th street; also that portion of Sixth avenue lying along the north of said block 214 and south of what is known as the Jonesville road, as now located at said point; also that portion of Seventh avenue lying between the west line of 14th street and the east line of 15th street; also that portion of 8th avenue lying west of the west line of 14th street and south of block 234; and to annul and extinguish the dedication thereof.

H. 1103. To amend section 9 of an act entitled an act authorize the cities of Tuscumbia and Sheffield and the towns of Leighton and Cherokee in Colbert county to establish and operate dispensaries in such incorporated cities and towns, for the purpose of buying and selling spirituous, vinous and malt liquors and to provide for

the distribution of certain profits arising therefrom, and to further regulate or prohibit the sale of such liquors in the said county, approved Februray 15th, 1907.

H. 1105. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, intoxicating bitters, cordials or other intoxicating drinks or beverages ~~within four miles of Chappel Hill Missionary Baptist church, Cool Springs Missionary Baptist church and the Rutledge Methodist Episcopal Church South~~; provided, the incorporation limits of the Rutledge Methodist Episcopal Church South shall not extend further east than the corporate limits of the town of Luverne, all in Crenshaw county, Alabama, to provide the time when it shall be in force and to fix the punishment for the violation thereof.

H. 1059. To prohibit the sale, barter, exchange, giving away, lending, delivery, or otherwise disposing of spirituous, vinous or malt liquors, intoxicating beverages, bitters, cordials or proprietary medicines or alcoholic drinks in Sumter county, Alabama, provided this act shall not prevent its use for religious or sacramental purposes; and to prohibit the shipping into said county by any common carrier, and the bringing into said county by any person for the use of any person other than himself any such spirituous, vinous or malt liquors, intoxicating bitters, intoxicating beverages, intoxicating cordials, or intoxicating proprietary medicines or alcoholic drinks from any place within this State, and to prohibit the procuring for another or the taking or soliciting or receiving orders for spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters, intoxicating cordials, alcoholic drinks or intoxicating proprietary medicines in said county, and to prohibit the giving of orders for spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters, intoxicating cordials, or intoxicating proprietary medicines, or alcoholic drinks by any person in said county over any telegraph or telephone line, and to prohibit the receiving or sending by any telegraph or telephone company in said county of any order for spirit-

uous, vinous or malt liquors, intoxicating beverages, intoxicating bitters, intoxicating cordials, intoxicating proprietary medicines, or alcoholic drinks to any point within this State, and to prohibit any person, firm or corporation in the State of Alabama, from shipping into Sumter county, from any point in said State, spirituous, vinous or malt liquors, intoxicating bitters, intoxicating beverages, intoxicating cordials, intoxicating proprietary medicines or alcoholic drinks, and to provide penalties for all such prohibited acts, and to repeal all laws in conflict therewith.

H. 1155. To prevent and punish any person, firm or corporation residing in or doing business within any stock law district in Covington county enclosed by any fence or fences from turning any stock prevented from running at large within such stock law district in or on any territory within said county where any such stock are prohibited by law from running at large in non-stock law districts in said county; making the violation of such act a misdemeanor, and providing that the act take effect from and after its passage and approval by the governor.

H. 1197. To provide for an election in Perry county, Alabama, to determine whether spirituous, vinous and malt liquors shall be sold in said county after January 1st, 1909, to provide for holding said election and for other purposes.

H. 955. To amend an act entitled "An act to regulate the city court of Birmingham in the practice and procedure in said court; to provide the judges thereof, their election, term of office, removal, power, and salary; for the election, term of office, bond, removal, and duties of the clerk and register thereof; and to provide suitable court rooms and places, dockets, stationery, and other supplies for the holding of said court," approved Feb. 26th, 1907.

H. 1315. To establish a dispensary in and for the town of Andalusia in the county of Covington in the State of Alabama, and to provide for the conduct and regulation of the same.

Cyrus B. Brown,
Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read at length by the secretary, signed the above House bills, the titles of which are set out in the foregoing message from the House, the reading at length of said bills having been dispensed with by a two-thirds vote of a quorum of the Senate present.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended, as therein shown, and as amended has passed the following Senate bills:

S. 326. To repeal an act "entitled an act to amend section 4630 of the criminal Code, so far as the same relates to beats No. 10 and 11, in Bibb county, Ala., same approved Feb. 21, 1899."

S. 305. To enlarge the powers of the board of trustees, hereafter to be known as the board of education of the school district of New Decatur.

And returns same herewith to the Senate.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Reynolds, the Senate concurred in the House amendment to S. B. 305, the title to which is set out in the foregoing message from the House, said amendment being as follows:

"Amend by striking out the word "hereafter" in line two, Sec. 1, and insert in lieu thereof the words "after the expiration of the present term of office of the county superintendent of education of Morgan county.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Leith	Reynolds
Bayles	Hayes	Lowe	Teasley
Davis	Heacock	Lusk	Thomas
Doster	Horton	Merritt	White
Forrester	Jones	Miller	Wilson
Gardner	King	Overton	Wimberly
Glenn			—25.

On motion of Mr. Reynolds the Senate concurred in the House amendment to Senate bill 326, the title to which is set out in the foregoing message from the House, said amendment being as follows:

Substitute for Senate Bill 326:

A BILL

To be entitled an act to repeal an act entitled "an act to amend section 4630 of the Code of 1896 of Alabama so far as same relates to beats 10 and 11 of Bibb county, Alabama, approved Feby. 21st, 1899." Be it enacted by the Legislature of Alabama:

Section 1. That an act entitled "an act to amend section 4630 of the Code of 1896 of Alabama, so far as the same relates to beats 10 and 11 of Bibb county, Alabama, approved Feby. 21st, 1899, be and the same is hereby repealed.

Section 2. This act shall not go into effect until the 15th day of November, 1908.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Lowe	Reynolds
Bayles	Hayes	Lusk	Strother
Davis	Heacock	Merritt	Thomas
Doster	Horton	Miller	White
Forrester	Jones	McWhorter	Wilson
Gardner	King	Overton	Wimberly
Glenn	Leith	Reese	

—27.

MOTION.

Pursuant to notice heretofore given, Mr. Bayles made a motion to take from the adverse calendar:

H. 1178. To establish and regulate the Sylacauga division of the circuit court of Talladega county, confer upon it chancery jurisdiction, define the territorial limits of its jurisdiction, fix the time and place for holding said court, provide for drawing and empaneling juries therein and prescribe the liabilities of persons residing within its territorial jurisdiction to jury service, and the rules of procedure in said court.

Mr. Hancock made a motion to lay Mr. Bayles' motion on the table, which was carried.

Yeas, 16; nays, 11.

Yeas:

Messrs:

Barbour	Heacock	Moody	Reynolds
Blackmon	Jones	McWhorter	Spragins
Davis	King	Overton	Thomas
Glenn	Miller	Reese	Wimberly

—16.

Nays:

Messrs:

Bayles	Horton	Reid	White
Doster	Lowe	Strother	Wilson
Gunn	Lusk	Teasley	

—11.

INDEFINITE POSTPONEMENT OF BILL.

On motion of Mr. Bayles,

S. 534. To regulate the public oyster reefs and beds in the waters of Alabama; to provide for the establishment of a board of oyster commissioners; to prescribe their duties, and provide for their compensation; to regulate the manner of taking and catching oysters on such public reefs and private bedding grounds, and to prescribe the measure of oysters in the shell; to prescribe license fees for oyster catchers; and for boats engaged in taking and catching oysters; to fix and prescribe a tax upon oysters canned and packed in the State; to pro-

vide for the protection and patrol of oyster grounds; to fix penalties for the violation of any of the provisions of this act; and to repeal section 3160 of the Code of Alabama, and to repeal section 3159 of the Code as amended by the act approved October 3rd, 1903.

Was indefinitely postponed.

UNFINISHED BUSINESS.

The Senate proceeded to the consideration of the unfinished business from yesterday, which was the bill:

S. 546. (With amendment.) To amend sections 1, 2, 4, 6, 8, 9, 13, 14 and 15 of an act entitled "An act to regulate the registration, branding, sale, tagging and analysis of commercial fertilizers, acid phosphate, fertilizer materials and chemicals in the State of Alabama," approved March 3, 1903.

Mr. Reese, by unanimous consent, withdrew his amendment heretofore offered.

Mr. Leith offered the following amendment, to-wit:

Amend Sec. 14 by adding after word "material" at end of 1st line (of printed bill) "within 10 days after the receipt thereof."

Which was adopted.

Yeas, 23; nays, 1.

Yeas:

Messrs:

Barbour	Hamner	Miller	Teasley
Bayles	Hayes	McWhorter	Thomas
Blackmon	Heacock	Overton	White
Forrester	Leith	Reid	Wilson
Gardner	Lusk	Reynolds	Wimberly.
Gunn	Merritt	Spragins	

—23.

Nays: Mr. King—1.

Mr. Forrester offered the following amendment, to-wit:

Amend section one, line 11, beginning after being organized then strike out the remaining part of lines 11, 12, 13, 14 and 15.

Lost; ayes, 10; nays, 14.

Amend section 6, line 2, by striking out the figure 14 and in lieu thereof figure 16 per cent.

Tabled; ayes, 17; nays, 5.

Amend section 9, line 14, by striking out the word ten and add in lieu thereof five dollars.

Adopted; ayes, 20; nays, 0.

Mr. Spragins demanded a division of the question into three separate sections, to-wit: 1, 2 and 3.

The question then recurred on the adoption of the 1st part of said amendment, to-wit:

(1) Amend section one, line 11, beginning after "being organized" then strike out the remaining part of line 11, 12, 13, 14 and 15.

Mr. Leith moved to table said first part of said amendment; which was lost.

Yeas, 13; nays, 15.

Yeas:

Messrs:

Barbour	Gunn	Lusk	Reid
Bayles	Hayes	Merritt	White
Davis	Leith	Overton	Wilson
Doster			

—13.

Nays:

Messrs:

Forrester	Horton	Miller	Spragins
Glenn	Jones	Moody	Teasley
Hamner	King	McWhorter	Thomas
Heacock	Lowe	Reynolds	

—15.

Mr. Teasley moved to indefinitely postpone said bill and pending amendments.

Mr. McWhorter moved to lay the motion made by Mr. Teasley on the table.

Which motion prevailed.

Yeas, 16; nays, 7.

Yeas:

Messrs:

Bayles	Gardner	Hamner	Leith
Doster	Gunn	Hayes	Lowe

Lusk	McWhorter	Reid	Wilson
Merritt	Overton	White	Wimberly

—16.

Nays:

Messrs:

Horton	Miller	Reynolds	Thomas
King	Moody	Teasley	

—7.

The question then recurred on the adoption of the 1st section of the Forrester amendment above set out. Which amendment was lost.

Yeas, 10; nays, 14.

Yeas:

Messrs:

Barbour	Horton	Miller	Reynolds
Forrester	Jones	McWhorter	Teasley
Hamner	King		

—10.

Nays:

Messrs:

Bayles	Lowe	Overton	White
Doster	Lusk	Reid	Wilson
Gunn	Merritt	Thomas	Wimberly
Leith	Moody		

—14.

The question then recurred upon the adoption of the second part or section of Mr. Forrester's amendment, to-wit:

Amend section 6, line 2, by striking out the figure 14 and in lieu thereof figure 16 per cent.

Mr. Leith moved to lay said amendment on the table.

Which motion prevailed.

Yeas, 17; nays, 5.

Yeas:

Messrs:

Doster	Leith	McWhorter	Thomas
Gardner	Lusk	Overton	White
Gunn	Merritt	Reid	Wilson
Hayes	Moody	Teasley	Wimberly
Horton			

—17.

Nays:
 Messrs:
 Barbour Blackmon Forrester Jones
 King
 —5.

PAIR ANNOUNCED.

Mr. Reynolds announced that he and Mr. Bayles had paired on the vote. That if Mr. Bayles was present, he would vote nay and that he, Mr. Reynolds, would vote year.

The question then recurred upon the third part of Mr. Forrester's amendment, to-wit:

Amend section 9, line 14, by striking out the word "ten" and add in lieu thereof "five dollars."

Which was adopted.

Yeas, 20; nays, 0.

Messrs:

Yeas:

Barbour	Hinson	Lowe	Reid
Gardner	Horton	Lusk	Teasley
Gunn	Jones	Moody	Thomas
Hamner	King	McWhorter	Wilson
Hayes	Leith	Overton	Wimberly

—20.

Mr. Teasley offered the following amendment to said bill:

Amend by striking out "annually", in line 10, section 9, of printed copy and insert in lieu thereof the following: "Every ten years."

Which, on motion of Mr. Leith, was laid on the table.

Yeas, 10; nays, 8.

Yeas:

Messrs:

Gunn	Lusk	Overton	Wilson
Hayes	Moody	Reid	Wimberly.
Leith	McWhorter		

—10.

Nays:

Messrs:

Barbour	Horton	King	Teasley
Hamner	Jones	Merritt	Thomas

—8.

PAIRS ANNOUNCED.

Mr. Blackmon announced that he and Mr. White were paired on this vote. That if Mr. White was present, he would vote "nay" and that he, Mr. Blackmon, would vote "yea."

Mr. Reynolds announced that he and Mr. Bayles were paired on this vote. That if Mr. Bayles was present, he would vote "yea" and that he, Mr. Reynolds, would vote "nay."

Mr. Barbour moved to reconsider the vote by which the Senate adopted the third section of Mr. Forrester's amendment.

Mr. Leith moved to lay Mr. Barbour's motion on the table, which was lost.

Yeas, 11, nays, 11.

Yeas:

Messrs:

Barbour	Hayes	Lusk	Reid
Gardner	Leith	McWhorter	Wilson
Gunn	Lowe	Overton	Wimberly.

—11.

Nays:

Messrs:

Barbour	Jones	Miller	Teasley
Hamner	King	Moody	Thomas
Horton	Merritt	Reynolds	

—11.

PAIRS ANNOUNCED.

Mr. Blackmon announced that he and Mr. White were paired on this vote. That if Mr. White was present, he would vote "yea" and that he, Mr. Blackmon, would vote "nay."

Mr. Reynolds announced that he and Mr. Bayles were paired on this vote. That if Mr. Bayles was present he

would vote "yea" and that he, Mr. Reynolds, would vote "nay."

The question then recurred on Mr. Barbour's motion to reconsider the vote by which the Senate adopted the third section of Mr. Forrester's amendment.

Which motion was lost.

Yeas, 11; nays, 11.

Yeas:

Messrs:

Barbour	Horton	Merritt	Teasley
Glenn	Jones	Moody	Thomas
Hamner	King	Reynolds	

—11.

Nays:

Messrs:

Bayles	Hayes	McWhorter	Wilson
Gardner	Leith	Overton	Wimberly
Gunn	Lusk	Reid	

—11.

PAIR ANNOUNCED.

Mr. Blackmon announced that he and Mr. White were paired on this vote. That if Mr. White was present he would vote "yea" and that he, Mr. Blackmon would vote "nay."

Mr. Moody offered the following amendment:

Amend section 4 of S. B. 546 by erasing the first sentence of subdivision 9 in said section 4, beginning on line 9, said sentence, ending with the words "~~shall~~ be used."

Which was lost.

Yeas, 18; nays, 0.

Yeas:

Messrs:

Bayles	Jones	Moody	Teasley
Glenn	King	McWhorter	Thomas
Gunn	Leith	Overton	Wilson
Hamner	Lusk	Reid	Wimberly
Hayes	Merritt	Reynolds	

—18.

Mr. Moody offered the following amendment:

Amend S. bill 546 by adding at the close of section 1 the following words: "But the provisions of this section shall not apply to sales of fertilizers to be made by a different formula from any already registered by the manufacturer and to be made by special application."

Which, on motion of Mr. Leith, was laid upon the table.

Yeas, 13; nays, 11.

Yeas:

Messrs:

Bayles	Hayes	Merritt	Reid
Doster	Leith	McWhorter	Wilson
Gardner	Lusk	Reese	Wimberly
Gunn			

—13.

Messrs:

Nays:

Barbour	Horton	Miller	Teasley
Glenn	Jones	Moody	Thomas
Hamner	King	Reynolds	

—11.

PAIR ANNOUNCED.

Mr. Blackmon announced that he and Mr. White were paired on this vote. That if Mr. White was present he would vote "nay" and that he, Mr. Blackmon, would vote "yea."

Mr. Barbour moved to indefinitely postpone said bill and pending amendments.

Which, on motion of Mr. McWhorter, was laid on the table.

Yeas, 15; nays, 9.

Messrs:

Yeas:

Bayles	Gunn	Merritt	Thomas
Doster	Hayes	McWhorter	Wilson
Gardner	Leith	Overton	Wimberly
Glenn	Lusk	Reid	

—15.

Messrs:
 Nays:
 Barbour Jones Miller Reynolds
 Hamner King Moody Teasley
 Horton

—9.

Mr. Reynolds offered the following amendment:

Add to the end of the bill: "Nothing in this act shall be construed as prohibiting any person to sell in the original package any fertilizer which has been manufactured in another State than Alabama.

Which, on motion of Mr. Leith, was laid on the table.
 Yeas, 18; nays, 8.

Yeas:

Messrs:
 Bayles Hamburger Merritt Thomas
 Doster Hamner McWhorter White
 Gardner Hayes Overton Wilson
 Glenn Leith Reese Wimberly
 Gunn Lusk Reid

—18.

Nays:

Messrs:
 Barbour Jones Miller Reynolds
 Blackmon King Moody Teasley

—8.

RECESS.

The hour of 1:30 o'clock p. m. having arrived, the Senate took a recess until 3 o'clock p. m.

AFTERNOON SESSION.

August 1st, 1907.

The Senate met pursuant to adjournment, President pro tem Thomas in the chair and presiding.

ROLL CALL.

Quorum.

Upon the call of the roll, a quorum of the Senators was found to be present.

REPORT FROM THE COMMITTEE ON ENROLLED BILLS.

Mr. Moody, from the committee on Enrolled Bills, made the following report, which was adopted:

Mr. President:

The committee on Enrolled Bills report that they have examined the following Senate bills:

S. 196. To provide for the election of only one justice of the peace for each precinct within or partly within the city of Montgomery; and to define the powers and jurisdiction of said justices of the peace.

S. 395. To amend an act entitled "An act to establish a charter for the town of Wedowee, Randolph county, Alabama," approved February 8, 1901.

S. 402. To provide for the holding of a term of the circuit court of the Fifth judicial circuit of Coosa county, at Goodwater, and to regulate the same.

S. 479. To provide for the more efficient working of the public roads in Mobile county and certain streets and public thoroughfares in the city of Mobile; provide for the control, working, building, maintenance and improvement of the same by the board of revenue and road commissioners of Mobile county; to prescribe the duties and fix the authority of said board; and provide for the levy and collection of a road tax and the method of disbursing moneys necessary to carry out the provisions of this act, and provide penalties for violations of its provisions.

S. 485. To amend section (6) six, of an act entitled an act to create the office of associate judge of the city court of Gadsden; to provide for the qualification, election and appointment of such judge; to fix the term of office; to define his powers and duties and to provide for the payment of his salary.

S. 495. To create a board of education for the Huntsville school district of Madison county, Alabama, to provide for the election of their successors, to define the powers and duties of said board and provide for the

management, support and maintenance of the public schools of said district.

S. 512. To confer equity jurisdiction upon the circuit courts of Walker and Winston counties; to prescribe the times of calling the equity dockets in the circuit courts in said counties, and to provide a register for said courts.

~~S. 527. To provide for the payment of witnesses be-~~
fore the grand juries and State witnesses in all criminal cases, and fees of the sheriff of the county of Montgomery and clerks of the city court of Montgomery and the county court in and for said county, in criminal cases where the State fails to convict out of the general fund of Montgomery county. And provide compensation for the clerk of the board of revenue for services required of him under this act.

S. 305. To enlarge the powers of the board of trustees, hereafter to be known as the board of education of the school district of New Decatur.

S. 547. To appropriate the sum of \$537.72 to pay the expenses of the Fertilizer and Cotton Seed Oil Mill Investigating Committee and for the disbursement of the same.

S. 548. For the relief of Mrs. M. J. Smyley of Marengo county, the widow of a confederate soldier.

S. 592. To amend section 1 of an act entitled an act to alter, rearrange and extend the corporate limits of the city of Mobile, Alabama," approved March 2, 1907.

And find same to be correctly enrolled.

Frank S. Moody,
Chairman.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after the titles had ben publicly read at length by the secretary, signed the above Senate bills, the titles of which are set out in the foregoing report from the committee on Enrolled Bills, the reading at length of said bills having been dispensed with by a two-thirds vote of a quorum of the Senate present.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bill and ordered same sent to the Senate without engrossment:

H. 1337. To require the sheriff of Lawrence county to procure from the office of the United States Internal Revenue Collector for the State of Alabama, a list of persons, firms or corporations in Lawrence county, to whom licenses have been issued for the sale of spirituous, vinous, or malt liquors, and to publish the same in some newspaper published in said county.

And sends same herewith to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Lawrence County. }

Before me, J. C. Kumpe, judge of probate in and for said State and county, personally appeared Jourd White, known to me to be one of the publishers of The Moulton Advertiser, a newspaper published at Moulton, in said county, in said State, and he being first duly sworn, doth state on oath that he is one of the publishers of said newspaper and that same has been regularly published and issued in weekly editions in said county for more than twelve months last past, and that the notice hereto attached, marked "Exhibit A," referring to a proposed bill for Lawrence county, was published, without cost to the State, once a week for four consecutive weeks before the making of this affidavit, in the issues of to-wit:

Jourd White.

Sworn to and subscribed before me on this the 28 day of May, 1907.

J. C. Kumpe,
Judge of Probate.

NOTICE.

Notice is hereby given that a bill will be introduced in the next Legislature in substance as follows, to-wit:

A bill to be entitled "An act to require the sheriff of Lawrence county to procure from the office of the United States Internal Revenue Collector for the State of Alabama, a list of the persons, firms or corporations in Lawrence county to whom a license has been issued for the sale of spirituous, vinous or malt liquors, and to publish same in some newspaper published in said county."

Sec. 1. Be it enacted by the Legislature of Alabama, That the sheriff of Lawrence county shall, between the 1st and 15th days of January and July of each year, procure from the office of the United States Internal Revenue Collector for the State of Alabama, the name and place of business of each person, firm or corporation to whom a United States license has been issued to sell spirituous, vinous or malt liquors in the county of Lawrence during the preceding twelve months, and shall immediately thereafter cause to be published for three weeks in some newspaper published in said county, the name and place of business of each of said persons, firms or corporations.

Sec. 2. Be it further enacted, That for said services the sheriff shall receive twenty-five dollars per annum, and the expense and cost of obtaining said list, to be paid out of the general fund of the county of Lawrence, and the cost of publishing said list shall be paid out of the general fund of said county.

Sec. 3. Be it further enacted, That if the sheriff of said county of Lawrence fails or refuses to comply with the provisions of this act, he shall be guilty of a misdemeanor, and upon conviction shall be fined not exceeding \$500.00 and may be sentenced to hard labor for the county for not exceeding six months.

J. K. Swoope,
J. H. Harris,
A. F. Rebman,
A. L. Windham,
H. B. Irwin,
S. E. Gardner,
Jourd White.

And has originated and passed the following bills and ordered same sent forthwith to the Senate without engrossment:

H. 1131. To provide for the care and preservation of the lands of "The Alabama Insane Hospitals," and to require the trustees to convey to the corporation their title thereto and to provide for the issuance of patents direct to the purchaser from the Alabama Insane Hospitals, or to the corporation, and to protect the lands from illegal sales for taxes.

H. 1300. To amend section 393 of the Code of 1896.

H. 320. To educate the children of Alabama on the evils of intemperance.

And sends same herewith to the Senate.

H. 1278. To amend section 8 of an act entitled an act to provide for the construction and maintenance of good public roads and bridges in the several counties of the State of Alabama, approved October 10, 1903.

And sends the same to the Senate.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

The House bills in the foregoing House message were severally read once and referred to appropriate standing committees as follows:

H. 1337, 1278, to Local Legislation.

H. 1131, to Judiciary.

H. 1300, to Revision of Laws.

H. 320, to Public Health.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has adopted the following House resolution:

H. J. R. 334. Resolved by the House, the Senate concurring, that the Governor be and is hereby requested to return to the Senate H. B. 924, "A bill to be entitled an

act to divide Hale county into four commissioners' districts."

And sends same herewith to the Senate.

C. B. Brown,
Clerk.

HOUSE MESSAGE.

The Senate concurred in the above House joint resolution No. 334, relative to recalling from the governor House bill No. 924, the title to which is set out in the above and foregoing message from the House.

To the Senate:

In accordance with your request, I herewith return H. B. 924, entitled an act to divide the county of Hale into four commissioners' districts and to provide for the election of a commissioner for each district.

August 1, 1907.

B. B. Comer,
Governor.

RESOLUTION.

Mr. Horton offered the following resolution, to-wit:
Resolved by the Senate, the House concurring, that the President of the Senate and Speaker of the House are requested to erase their signature from H. B. 924.
Which resolution was adopted.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in S. J. R. No. 123, relative to erasure of signature from H. B. 924.

Cyrus B. Brown,
Clerk.

ERASURE OF SIGNATURE.

In accordance with Senate joint resolution No. 123, the President of the Senate, in the presence of the Senate, erased his signature from House bill 924:

To divide the county of Hale into four commissioners' districts, and to provide for the election of a commissioner for each district.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker of the House, in accordance with a joint resolution heretofore adopted, has erased his signature from the bill:

H. 924. To divide the county of Hale into four commissioners' districts, and to provide for the election of a commissioner for each district.

And herewith returns said bill to the Senate.

Cyrus B. Brown,
Clerk.

RECONSIDERATION OF VOTE.

On motion of Mr. Horton, the vote by which the Senate passed the bill (H. 924) was reconsidered, and the vote by which said bill was ordered to a third reading was reconsidered.

Mr. Horton then offered the following amendment to said bill:

Amend by adding at end of Sec. 1 "and thirteen."

Which amendment was adopted.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Miller	Strother
Bayles	Horton	Moody	Teasley
Blackmon	Jones	McWhorter	Thomas
Davis	King	Overton	White
Forrester	Leith	Reid	Wilson
Gunn	Lowe	Reynolds	Wimberly
Hamner	Merritt		

—26.

And the bill, as thus amended, was read a third time, at length, and passed.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Lowe	Spragins
Bayles	Heacock	Lusk	Strother
Blackmon	Hinson	Merritt	Teasley
Doster	Horton	Miller	Thomas
Forrester	Jones	Moody	White
Glenn	King	Reese	Wilson
Gunn	Leith	Reynolds	Wimberly
Hamner			

—29.

RESOLUTIONS.

Mr. Bayles offered the following resolution, to-wit:

Resolved that "H. B." 1320 amending the election laws of the State, be made a special, paramount and continuing order for 10 o'clock of the next legislative day.

Which was referred to the committee on Rules.

Mr. Teasley offered the following resolution, to-wit:

Resolved by the Senate, that the following bills:

H. 1339. To exempt from taxation all property of any person, firm or corporation who has heretofore patented and owns exclusively, or has heretofore secured and owns exclusively, or who shall hereafter patent and own exclusively, or shall hereafter secure and own exclusively the patent right, on any article designed for the purpose of protecting human life and property and which has not heretofore been manufactured for sale except such property as is devoted exclusively to the manufacture of such article and to exempt from taxation the stock held by stockholders of such corporation.

H. 513. To fix the salary of the clerk of the adjutant general and to make appropriation for same.

H. 162. To make an appropriation of \$250,000.00 for the improvement of the State capitol building and for the erection or acquisition of additional grounds and building or buildings for the use of the State, and to provide the manner in which said appropriation is to be expended.

H. 1361. To make an appropriation for the payment of the expenses of confederate reunions in this State.

Be made continuing, paramount special orders for the next legislative day at 11 o'clock.

Which was referred to the committee on Rules.

Mr. Spragins offered the following resolution, to-wit:

Resolved by the Senate, that the clerks of committees be and they are hereby required to make typewritten copies of all amendments offered by their respective committees.

Which was adopted.

Mr. Overton offered the following resolutions, to-wit:

Resolved, that H. B. 273 be and the same is hereby made a special, paramount, continuing order for the next legislative day at 12:30 o'clock.

Also,

Resolved, that H. 543 be made a special, paramount and continuing order at 10 o'clock on the next legislative day. This Aug. 1, 1907.

Which were referred to the committee on Rules.

Mr. Miller offered the following resolution, to-wit:

Resolved, that,

H. 1349 (to refund taxes illegally collected);

H. 543 (Municipal ownership of water works);

H. 1323 (Furnishing mine inspector's office);

H. 1123 (Exception from taxation property of Eastern Star);

Be made special, paramount, exclusive and continuing orders in the order named upon the next legislative day at 12 o'clock noon.

Which was referred to the committee on Rules.

RE-REFERENCE OF BILL.

Mr. Bayles, from the committee of Revision of Laws, returned House bills:

H. 1127. To amend section 17 of an act entitled an act to provide a system of quarantine for this State, approved February 23, 1899.

And,

H. 1381. To amend section 2574 of the Code.

And on motion said bills were referred to committee on Finance and Taxation.

NOTICE.

~~Notice is hereby given that on the next legislative day the undersigned will make a motion to take from the adverse calendar and place on the calendar for the second reading, which bill is H. 875 for the relief of James Morris, et al.~~

M. L. Leith.

Notice is hereby given that tomorrow the undersigned will make a motion to take from the adverse calendar H. 1201, and place the same on the calendar for the second read.

M. L. Leith.

BILLS ON THIRD READING.

The bill:

H. 1293. To allow the selling or otherwise lawfully disposing of lager beer by the proprietor or manager of the Park hotel, to be erected at Montrose in Baldwin county.

Was taken up.

The following amendment was offered by the committee:

Amend by adding at the end of section 2 the following: "provided that the right herein given, shall be operative and effective only when a hotel shall be built at Montrose, in Baldwin county, Ala., consisting of not less than 25 rooms; and provided further that this right shall only be exercised during the time said hotel shall be in operation as a hotel, and shall be nullified whenever the said hotel shall cease to be operated as such, and provided further that all sales of lager beer shall be made within the curtilage of said hotel."

Which was adopted.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Lowe	Spragins
Bayles	Heacock	Lusk	Strother
Davis	Hinson	Merritt	Teasley
Doster	Horton	McWhorter	Thomas
Forrester	Jones	Reid	White
Gardner	King	Reynolds	Wimberly
Hamner	Leith		

—26.

And said bill, as thus amended, was read a third time, at length, and passed.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Lusk	Strother
Bayles	Horton	Merritt	Teasley
Davis	Jones	Reid	Thomas
Forrester	King	Reynolds	White
Gardner	Leith	Spragins	Wimberly
Hamner	Lowe		

—22.

The bill:

H. 869. To authorize the town of Enterprise in Coffee county, Alabama, to buy and sell spirituous, vinous and malt liquors, and to regulate the sale thereof.

Was read a third time, at length, and passed.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Horton	Miller	Spragins
Bayles	Jones	Moody	Strother
Davis	King	McWhorter	Thomas
Forrester	Leith	Overton	White
Gardner	Lowe	Reid	Wilson
Hayes	Lusk	Reynolds	Wimberly
Heacock	Merritt		

—26.

The bill:

H. 902. To provide for the collection and disbursement of proceeds appropriated by law to the public

schools of Coffee county from the dispensaries of said county.

Was read a third time, at length, and passed.

Yeas, 28; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Lusk	Reynolds
Bayles	Heacock	Merritt	Spragins
Davis	Horton	Miller	Strother
Forrester	Jones	Moody	Teasley
Gardner	King	McWhorter	Thomas
Gunn	Leith	Overton	White
Hamner	Lowe	Reid	Wimberly

—28.

The bill:

H. 1321. To repeal sections 4, 5, 6 and 8 of an act entitled an act to "better provide for working the public roads in the counties of Baldwin, Escambia and Monroe," approved February 9th, 1901, in so far as the same applies to the county of Monroe and to amend section twelve of said act and further regulate the working of the public roads in Monroe county.

Was read a third time, at length, and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Barbour	Heacock	Lusk	Spragins
Bayles	Horton	Merritt	Strother
Davis	Jones	Moody	Teasley
Forrester	King	McWhorter	Thomas
Gardner	Leith	Reid	White
Hayes	Lowe	Reynolds	Wimberly

—24.

The bill:

H. 1356. For the relief of John Milford, an ex-confederate soldier, being a resident of Chilton county, Alabama.

Was read a third time, at length, and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Barbour	Heacock	Merritt	Strother
Davis	Horton	Moody	Teasley
Doster	Jones	McWhorter	Thomas
Forrester	King	Reese	White
Gardner	Leith	Reid	Wimberly.
Hayes	Lowe	Reynolds	

—23.

The bill:

S. 632. "To provide for the construction, repairing, working, maintaining, and protection of the public roads of Geneva county, and to provide for the levying of the tax for the same, and for punishing road defaulters, and prescribing the duties of the commissioners' court with reference to said work, and for the punishment of violations of orders made by the commissioners' court."

Was taken up.

The following amendment was offered by the committee:

Amend Senate bill 632 by adding at the end thereof:

Section —. This act shall not go into effect, unless and until the court of county commissioners of said county, at any regular or special term of said court, shall so provide by order spread on the minutes of said court.

Section.—. Should this act take effect under the provisions of the preceding section, the court of county commissioners of said county is hereby authorized to add to the road fund provided by this act the dog license tax arising in said county or any part thereof.

Which was adopted.

• Yeas, 23; nays, 0.

Yeas:

Messrs:

Bayles	Hinson	Merritt	Strother
Davis	Horton	McWhorter	Teasley
Forrester	Jones	Overton	Thomas
Gardner	King	Reid	White
Hayes	Leith	Reynolds	Wimberly
Heacock	Lowe	Spragins	

—23.

And the bill, as thus amended, was read a third time, at length; and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Merritt	Spragins
Bayles	Heacock	Miller	Strother
Davis	Horton	Moody	Teasley
Forrester	Jones	McWhorter	Thomas
Gardner	King	Reese	White
Glenn	Leith	Reynolds	Wimberly
Hamner			

—25.

The bill:

H. 1362. To establish a dispensary in and for the town of "Floralla" in the county of Covington, State of Alabama, and to provide for the conduct and regulation of the same.

Was taken up.

The following amendment was offered by the committee:

Amend section 2 of the bill so as to read as follows:

"Section 2. Said business shall be conducted by the intendant and aldermen of Florala through a dispenser and five commissioners, and such other officers and agents as may be appointed or selected by them or by the commissioners with their consent and approval for that purpose. The office of dispenser is hereby created and his term of office shall be one year from the date of his qualification and until his successor is elected and qualified. The first five commissioners shall be W. F. Hughes, B. F. Luttrell, M. A. George, Jr., D. I. B. Atkinson and J. A. Penton; their terms of office shall be four years from the time they are qualified, and until their successors are appointed and qualified. The dispenser shall be elected by the commissioners annually, and the commissioners shall be elected by the intendant and aldermen of Florala every four years. The first election of commissioners shall take place on the expiration of the term of office of the commissioners hereinabove mentioned and named. All other officers and

agents shall be appointed by the commissioners with the approval and consent of the intendant and aldermen of Florala.

Amend section 8 of the bill by striking out of said section the words "sunrise" where they appear in said section and by inserting in place thereof the words "six o'clock a. m."

Amend section 7 of the bill by striking out of said section in line 3 the words "of less than one pint" and by inserting in place thereof the words "of more than one quart, nor less than one-half pint."

Also by striking out the word "and" in the first line of section 7 of the bill and by inserting in place thereof the word "any."

By striking out the word "Floralla" wherever it appears in the caption and the several sections of the bill and by inserting in place of the word so stricken out wherever the same is stricken out the word "Florala."

Amend section 13 by striking out the word "two" where it appears in said section and inserting in place thereof the word "three."

Which was adopted.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Miller	Spragins
Bayles	Heacock	Moody	Strother
Davis	Horton	McWhorter	Teasley
Doster	Jones	Overton	Thomas
Forrester	King	Reese	White
Gardner	Leith	Reid	Wimberly
Hamner	Merritt	Reynolds	

—27.

And the bill, as thus amended, was read a third time, at length, and passed.

Yeas, 26; nays, 0.

Yeas :

Messrs :

Barbour	Hayes	Lowe	Spragins
Bayles	Heacock	Lusk	Strother
Davis	Hinson	Merritt	Teasley
Forrester	Horton	Miller	Thomas
Gardner	Jones	Reid	White
Glenn	King	Reynolds	Wimberly
Hamner	Leith		

—26.

The bill :

H. 1238. To regulate dispensaries now operated, or which may be operated by municipalities in the county of Geneva; to prescribe and fix a license on each dispensary in addition to that already imposed under the general law; to provide for the payment of such license fee to the judge of probate of Geneva county, and to give the court of county commissioners power to disburse the fund created by such licenses, at its discretion, either in building, repairing or furnishing school houses and buildings exclusively for rural districts of Geneva county, or for repairing the public roads of Geneva county, or for supplementing pensions to pensioners of the first class, or for all said purposes, and to provide a penalty for the failure to pay such license.

Was read a third time, at length, and passed.

Yeas, 24; nays, 0.

Yeas :

Messrs :

Barbour	Hamner	Merritt	Spragins
Bayles	Hayes	Moody	Strother
Davis	Horton	McWhorter	Teasley
Doster	Jones	Overton	Thomas
Forrester	King	Reid	White
Gardner	Lowe	Reynolds	Wimberly

—24.

The bill :

H. 1314. To abolish and close the dispensary at Headland, Henry county, Alabama.

Was read a third time, at length, and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Barbour	Heacock	Merritt	Spragins
Bayles	Horton	Moody	Strother
Davis	King	McWhorter	Teasley
Doster	Leith	Overton	Thomas
Forrester	Lowe	Reid	White
Gardner	Lusk	Reynolds	Wimberly
Hayes			

—25.

The bill:

H. 786. To authorize the town of Brockton in Coffee county, Alabama, to buy and sell spirituous, vinous and malt liquors, and to regulate the sale thereof.

Was read a third time, at length, and passed.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lowe	Spragins
Bayles	Hayes	Merritt	Strother
Davis	Heacock	Miller	Teasley
Doster	Horton	Moody	Thomas
Forrester	Jones	Reid	White
Gardner	King	Reynolds	Wimberly
Gunn	Leith		

—27.

The bill:

H. 1291. For the relief of W. C. Evans, a confederate pensioner of Pickens county, Alabama. Whereas W. C. Evans, a needy confederate soldier of Pickens county, Alabama, was on the pension roll of said county, and entitled to participate in the distribution of the fund for the relief of needy confederate soldiers under the act approved February 10th, 1899, and whereas, during the year 1905, the State Board of Pension examiners, through error had the name of said W. C. Evans stricken from said roll as dead, thereby depriving him of the amount due him under distribution of said fund made on October 1st, 1905, and on October 1st, 1906.

Was read a third time, at length, and passed.

Yeas, 25; nays, 0.

Yeas :

Messrs :

Barbour	Heacock	Lowe	Strother
Bayles	Hinson	Merritt	Teasley
Forrester	Horton	Moody	Thomas
Gardner	Jones	McWhorter	White
Gunn	King	Reid	Wilson
Hamner	Leith	Spragins	Wimberly
Hayes			

—25.

The bill :

S. 629. To amend an act entitled " an act to establish a board of revenue for Jefferson county, and for the abolishment of the court of county commissioners of said county."

Was read a third time, at length, and passed, and ordered sent to the House forthwith without engrossment.

Yeas, 25; nays, 0.

Yeas :

Messrs :

Barbour	Hayes	Leith	Strother
Bayles	Heacock	Lowe	Teasley
Doster	Hinson	Lusk	Thomas
Forrester	Horton	Reid	White
Gardner	Jones	Reynolds	Wilson
Gunn	King	Spragins	Wimberly
Hamner			

—25.

The bill :

S. 559. To refund to Charles Bassett, Gus Bassett, D. J. O'Connell and T. L. Baker or their heirs the sum of three hundred and forty dollars, being purchase money for certain lands heretofore erroneously sold to them by the State of Alabama.

Was read a third time, at length, and passed, and ordered the same sent forthwith to the House without engrossment.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lusk	Strother
Bayles	Hayes	Merritt	Teasley
Davis	Horton	Miller	Thomas
Doster	Jones	McWhorter	White
Forrester	King	Reid	Wilson
Gardner	Leith	Reynolds	Wimberly
Gunn	Lowe	Spragins	

—27.

The bill:

H. 1008. To establish the law and equity court of Mobile.

Was read a third time, at length, and passed.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Heacock	Miller	Strother
Bayles	Horton	Moody	Teasley
Davis	Jones	Overton	Thomas
Forrester	King	Reid	White
Gunn	Leith	Reynolds	Wilson
Hamner	Lowe	Spragins	Wimberly
Hayes	Merritt		

—26.

The bill:

H. 1106. To make it unlawful for any person to sell, give away, or otherwise dispose of spirituous, vinous or malt liquors within three miles of the school-house known as the Powell school-house in beat six (6) of Crenshaw county, Alabama, and to punish violations of the same.

Was read a third time, at length, and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Heacock	Leith
Doster	Hamner	Jones	Lowe
Forrester	Hayes	King	Merritt

Miller	Reynolds	Teasley	Wilson
McWhorter	Spragins	Thomas	Wimberly
Reid	Strother	White	

—23.

The bill:

H. 1019. To fix the salary of the judge of the city court of Talladega county and to provide for payment of the same.

Was read a third time, at length, and passed.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Heacock	Lusk	Strother
Doster	Hinson	Merritt	Teasley
Forrester	Horton	Miller	Thomas
Gardner	Jones	Reid	White
Gunn	King	Reynolds	Wilson
Hamner	Leith	Spragins	Wimberly
Hayes	Lowe		

—26.

The bill:

H. 1104. For the relief of Mary Marler, Mary J. Simpler, widows of confederate soldiers, and A. Campbell, a confederate soldier, being residents of Crenshaw county, Alabama. Whereas, Mary Marler, Mary J. Simpler and A. Campbell has long been on the pension roll of Crenshaw county, Alabama, but for the year 1906, their names were dropped from said roll through mistake.

Was taken up.

The following amendment was offered by the committee:

"Amend said bill by striking out section two thereof."

Which was adopted.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Barbour	Forrester	Hayes	King
Bayles	Gardner	Heacock	Leith
Davis	Gunn	Horton	Merritt
Doster	Hamner	Jones	Miller

Moody	Reynolds	Teasley	Wilson
McWhorter	Spragins	Thomas	Wimberly
Reid	Strother	White	

—27.

And the bill, as thus amended, was read a third time, at length, and passed.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Merritt	Strother
Bayles	Hayes	Miller	Teasley
Davis	Heacock	Moody	Thomas
Doster	Horton	McWhorter	White
Forrester	Jones	Reid	Wilson
Gardner	King	Reynolds	Wimberly
Gunn	Leith	Spragins	

—27.

The bill:

H. 1066. To vacate and annul the dedication of the following highways and part of highways, situated in Jefferson county, Alabama, to-wit: All of Sadler avenue; ;the south half of Lucian avenue from the center of Emma street to the center of Telula street; all of Lucian avenue from center to Telula street to Eastern boundary of Ella street; all of Ella street lying south of a continuation of the south line of the alley running easterly and westerly through block twenty-five and north of center of Valley Creek canal all of Telula street lying south of the center of Lucian avenue and north of center of Valley Creek canal; the east half of Telula street lying between the continuation of the south line of the alley running easterly and westerly through block twenty-five and center of Lucian avenue; all of Emma street lying south of the continuation of the south line of the alley running easterly and westerly through block twenty-eight and north of the center of Valley Creek canal; the east half of Emma street lying between the continuation of the south line of the alley running easterly and westerly through block twenty-eight and the center of Lucian avenue; and all the al-

leys in or through blocks twenty-nine, thirty, and thirty-one; all being located according to the survey, map and plan of Owenton, a map of which is recorded in map book two, page twenty-six, in the office of the probate judge of Jefferson county, Alabama.

Was read a third time, at length, and passed.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Barbour	Hinson	Miller	Strother
Bayles	Horton	Moody	Teasley
Davis	Jones	McWhorter	Thomas
Forrester	King	Reese	White
Gunn	Leith	Reid	Wilson
Hayes	Lowe	Reynolds	Wimberly
Heacock	Merritt	Spragins	

—27.

The bill:

H. 854. To prohibit the sale, barter or exchange, giving away, lending, delivering, or otherwise disposing of any spirituous, vinous or malt liquors, intoxicating beverages, bitters, beers, "hop jack," or intoxicating proprietary medicine of any kind, except upon the written prescription of a practicing physician, within one and one-half miles of "Bethel" Methodist Episcopal Church South, situated at Dolcito, in precinct (11) eleven, Jefferson county, Alabama.

Was read a third time, at length, and passed.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Barbour	Heacock	Miller	Strother
Blackmon	Horton	Moody	Teasley
Forrester	Jones	McWhorter	Thomas
Gardner	King	Reese	White
Gunn	Leith	Reid	Wilson
Hamner	Lowe	Reynolds	Wimberly
Hayes	Merritt	Spragins	

—27.

The bill:

H. 1196. To amend section thirteen of an act to establish, maintain and regulate a dispensary in the town of Marion, Perry county, Alabama, for the sale of spirituous or vinous liquors, malt liquors, wines, ciders, or other intoxicating liquors and to establish a board of directors for the purpose of better controlling and managing the sale of spirituous or vinous liquors, malt liquors, wines, ciders or other intoxicating liquors and for other purposes, approved February 28, 1901.

Was taken up.

The committee offered the following amendment:

1. Amend section thirteen of said bill by adding after the words "October, 1907," where they first occur in the bill by inserting after same these words "and on the first days of January, April, July and October of each year thereafter."

2. Strike out the words "as ascertained" where they occur in said bill and insert in lieu thereof these words "and ascertain and".

3. Insert after the words "audit the accounts" where they occur in said bill these words "and take all inventory of the stock on hand."

4. Insert after the words "goes for prohibition" where they occur in said bill these words "and the validity of said election is not set aside or held for naught."

Which was adopted.

Yeas, 28; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Lowe	Spragins
Bayles	Hayes	Merritt	Strother
Davis	Heacock	Miller	Teasley
Doster	Horton	Moody	Thomas
Forrester	Jones	McWhorter	White
Gardner	King	Reese	Wilson
Glenn	Leith	Reynolds	Wimberly

—28.

And the bill, as thus amended, was read a third time, at length, and passed.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Barbour	Heacock	Merritt	Strother
Bayles	Hinson	Miller	Teasley
Davis	Horton	Moody	Thomas
Doster	Jones	McWhorter	White
Forrester	King	Reid	Wilson
Gardner	Leitch	Reynolds	Wimberly
Hayes	Lowe	Spragins	

—27.

The bill:

H. 1194. To establish, maintain and regulate a dispensary in the city of Uniontown, Perry county, Alabama, for the sale of spirituous, vinous liquors or malt liquors, wines, ciders or other intoxicating liquors, and to establish a board of directors for the purpose of better controlling and managing the sale of spirituous or vinous liquors, malt liquors, wines, ciders or other intoxicating liquors; to provide for the distribution of the profits from the sale of said liquors in said dispensary between said city and said county, and for other purposes.

Was taken up.

The following amendment was offered by the committee:

1. Strike out of section one of said bill that part of said section beginning with the words "said board of directors" where they first occur in section 1 and ending with the words "the present year" and insert in lieu thereof these words "said board of directors shall be elected by the mayor and council of the city of Uniontown before October 1st, 1907, from the qualified voters of said city not now holding an office under said city or a position in the dispensary subject to confirmation by the court of county commissioners of said Perry county to hold office until May 15th, 1908."

2. Amend section thirteen of said bill by inserting after the words "October 1st, 1907," where they occur in said section these words "and on January 1st, April 1st, July 1st, and October 1st, of each year thereafter."

3. Amend section 19 of said bill by inserting after the words "goes for prohibition" where they occur in said section these words "and the validity of said election is not set aside or held for naught."

Which was adopted.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Lowe	Strother
Bayles	Heacock	Merritt	Teasley
Davis	Hinson	Miller	Thomas
Doster	Horton	McWhorter	White
Forrester	Jones	Reid	Wilson
Gunn	King	Reynolds	Wimberly
Hamner	Leith	Spragins	

—27.

And the bill, as thus amended, was read a third time, at length, and passed.

Yeas, 28; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Merritt	Spragins
Bayles	Heacock	Miller	Strother
Davis	Hinson	McWhorter	Teasley
Doster	Horton	Overton	Thomas
Forrester	Jones	Reese	White
Gardner	King	Reid	Wilson
Gunn	Leith	Reynolds	Wimberly

—28.

The bill:

H. 1213. To amend section five of an act approved February 22nd, 1907, entitled "An act to prohibit the sale, barter, exchange, giving away, lending, delivering or otherwise disposing of spirituous, malt liquors, intoxicating beverages, bitters or proprietary medicines in Lamar county, Alabama, and to prohibit the shipping into said county by any common carrier, and the bringing into said county by any person for the use of any other person than himself, any such spirituous, vinous or malt liquors, intoxicating beverages or intoxicating

bitters, or intoxicating proprietary medicines from any place within this State, and to prohibit the procuring for another or the taking or soliciting or receiving of orders for spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters, or intoxicating proprietary medicines, in said county, and to prohibit the giving of orders for spirituous, vinous or malt liquors, intoxicating beverages or intoxicating proprietary medicines in said county, and to prohibit the giving of orders for spirituous, vinous or malt liquors, intoxicating beverages, or intoxicating bitters, or intoxicating proprietary medicines by any person in said county over any telegraph or telephone line, and to prohibit the receiving or sending by any telephone or telegraph company in said county of any order for spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters or intoxicating proprietary medicines to any point within this State, and to provide penalties for all such prohibited acts, and to repeal all laws in conflict herewith.

Was read a third time, at length, and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Barbour	Hinson	Merritt	Strother
Blackmon	Jones	McWhorter	Teasley
Forrester	King	Reese	Thomas
Gardner	Leith	Reid	White
Hamner	Lowe	Reynolds	Wilson
Heacock	Lusk	Spragins	Wimberly

—24.

The bill:

H. 1273. To provide for the transfer of all cases charging the commission of a misdemeanor, presented by indictment by the grand jury of the circuit court of Morgan county, Ala., to the Morgan county law and equity court of Morgan county, Ala., and to provide for the trial and proceedings in said causes.

Was read a third time, at length, and passed.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Barbour	Jones	Miller	Teasley
Forrester	King	Moody	Thomas
Gunn	Leith	Reynolds	White
Hayes	Lowe	Spragins	Wilson
Hinson	Lusk	Strother	Wimberly
Horton	Merritt		

—22.

The bill:

H. 938. To alter or rearrange the boundary lines of the city of Bessemer, Jefferson county, Alabama.

Was taken up.

The following amendment was offered by the committee:

Amend section 2 by striking out the words, "above described territory, all incorporated towns embraced in the above territory shall each be a separate and distinct voting place, and unless a majority of the qualified electors voting at such an election" where they first occur therein and inserting in lieu thereof the following words "territory which is not now embraced in the corporate limits of the city of Bessemer, each incorporated town embraced in said last mentioned territory shall be a separate and distinct voting place, and unless a majority of the qualified electors voting at such voting place within such town in such election."

Which was adopted.

Yeas, 28; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Leith	Spragins
Bayles	Hayes	Lowe	Strother
Davis	Heacock	Lusk	Teasley
Forrester	Hinson	Merritt	Thomas
Gardner	Horton	Miller	White
Glenn	Jones	Moody	Wilson
Gunn	King	Reynolds	Wimberly

—28.

And the bill, as thus amended, was read a third time,
at length, and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Lowe	Strother
Bayles	Heacock	Merritt	Teasley
Davis	Horton	Miller	Thomas
Forrester	Jones	Moody	White
Gardner	King	Reynolds	Wilson
Glenn	Leith	Spragins	Wimberly

—24.

The bill:

H. 868. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors or other intoxicating drinks or beverages within five miles of the Corona Methodist church in Corona, in Walker county, Alabama.

Was taken up.

The following amendment was offered by the committee:

"Section 3. This act shall not go into effect until the first day of January, 1908."

Which was adopted.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Barbour	Hinson	Merritt	Spragins
Bayles	Horton	Miller	Strother
Doster	Jones	Moody	Thomas
Forrester	King	Overton	White
Gardner	Leith	Reid	Wilson
Hayes	Lowe	Reynolds	Wimberly
Heacock	Lusk		

—25.

And the bill, as thus amended, was read a third time,
at length, and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lowe	Strother
Bayles	Heacock	Lusk	Teasley
Doster	Hinson	Merritt	Thomas
Forrester	Jones	Miller	White
Gardner	King	Reynolds	Wilson
Gunn	Leith	Spragins	Wimberly

—24.

The bill:

H. 1169. To establish an inferior court in precinct No. 10 in Morgan county, Alabama, in lieu of all justices of the peace and notaries public with powers of justices of the peace in said precinct, and to define the jurisdiction and powers of said court and the judge thereof.

Was read a third time, at length, and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Barbour	Horton	Miller	Teasley
Bayles	Jones	Moody	Thomas
Doster	King	McWhorter	White
Forrester	Leith	Reynolds	Wilson
Gardner	Lowe	Spragins	Wimberly
Glenn	Merritt	Strother	

—23.

The bill:

H. 682. or the relief of the school trustees of township four (4), range eight (8) west of Lawrence county, Alabama.

Was read a third time, at length, and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Barbour	Heacock	Lowe	Strother
Bayles	Hinson	Merritt	Teasley
Doster	Horton	Moody	Thomas
Forrester	Jones	McWhorter	White
Gardner	King	Reynolds	Wilson
Glenn	Leith	Spragins	Wimberly
Hayes			

—25.

The bill:

S. 574. To create a commission whose duty it shall be to erect a statute of the late Mr. Jefferson Davis in front of the capitol in the city of Montgomery, Alabama, and to appropriate the sum of ten thousand dollars for the purpose of erecting such statute.

Was taken up.

The following amendment was offered by the committee:

Amend said bill by striking out the word "ten" where same occurs in the caption and in section 2 of said bill, and inserting in lieu thereof the word "fifteen" in both the caption and said section 2.

Which was adopted.

Yeas, 28; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Leith	Spragins
Bayles	Hayes	Lusk	Strother
Davis	Heacock	Miller	Teasley
Doster	Hinson	McWhorter	Thomas
Forrester	Horton	Overton	White
Gardner	Jones	Reid	Wilson
Gunn	King	Reynolds	Wimberly

—28.

And the bill, as thus amended, was read a third time, at length, and passed, and ordered sent to the House forthwith without engrossment.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Merritt	Strother
Bayles	Heacock	Miller	Teasley
Blackmen	Hinson	Moody	Thomas
Davis	Jones	Reese	White
Forrester	King	Reynolds	Wilson
Gardner	Leith	Spragins	Wimberly
Glenn	Lusk		

—26.

The bill:

H. 239. To repeal an act entitled an act to repeal section 1017 and section 1018 of the revised Code of 1896, in so far as the same relates to Calhoun, Mobile, Etowah and Marion counties, approved March 1, 1901, so far as the same relates to Marion county.

Was read a third time, at length, and passed.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Barbour	Heacock	Miller	Strother
Bayles	Hinson	Moody	Teasley
Davis	Horton	McWhorter	Thomas
Doster	Jones	Reese	White
Forrester	King	Reid	Wilson
Gardner	Lowe	Reynolds	Wimberly
Hayes	Merritt	Spragins	

—27.

The bill:

H. 185. For the relief of Maj. David M. Scott, of the Ala. Nat. Guard. Whereas, Maj. David M. Scott of the Alabama National Guard received permanent personal injuries on the 22nd day of July, 1905, while in the discharge of duty as an officer of the National Guard, under orders from the governor of the State; and whereas said injuries have cost him in surgical and medical fees, and in lost time, the sum of eleven hundred and twenty-nine and forty-five one-hundredth dollars, therefore,

Was read a third time, at length, and passed.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Barbour	Hinson	Merritt	Strother
Bayles	Horton	Miller	Teasley
Forrester	Jones	McWhorter	Thomas
Gardner	King	Overton	White
Hamner	Leith	Reese	Wilson
Hayes	Lowe	Reynolds	Wimberly
Heacock	Lusk	Spragins	

—27.

The bill:

S. 578 1-2. To appropriate the sum of \$_____ to defray the expenses of erecting and procuring a memorial statute to Hon. John Tyler Morgan in Statutory Hall.

Was taken up.

The following amendment was offered by the committee:

Amend caption by inserting in blank place therein figures 15,000.00.

Amend section 1 by inserting in blank space in line 1 the words "fifteen thousand dollars."

Which was adopted.

Yeas, 28; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Lusk	Strother
Bayles	Heacock	Merritt	Teasley
Davis	Hinson	Miller	Thomas
Doster	Horton	McWhorter	White
Forrester	Jones	Overton	Wilson
Gunn	King	Reese	Wimberly
Hamner	Leith	Reynolds	

—28.

And the bill, as thus amended, was read a third time, at length, and passed, and ordered sent to the House forthwith without engrossment.

Yeas, 32; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lowe	Reynolds
Bayles	Hayes	Lusk	Spragins
Blackmon	Heacock	Merritt	Strother
Davis	Hinson	Miller	Teasley
Doster	Horton	Moody	Thomas
Forrester	Jones	Overton	White
Gardner	King	Reese	Wilson
Gunn	Leith	Reid	Wimberly

—32.

The bill:

S. 633. To regulate the taxing of dogs in Madison county, Alabama, and for the protection of sheep, cattle, horses, swine and other live stock in said county; to provide penalties for its violation; to repeal all laws in conflict.

Was read a third time, at length, and passed, and ordered sent to the House forthwith without engrossment.

Yeas, 25; nays, 1.

Yeas:

Messrs:

Barbour	Hamner	King	Reynolds
Bayles	Hayes	Leith	Spragins
Davis	Heacock	Lowe	Strother
Doster	Hinson	Merritt	Teasley
Forrester	Horton	McWhorter	Thomas
Gardner	Jones	Overton	Wimberly
Gunn			

—25.

Nays: Mr. Lusk—1.

The bill:

H. 1184. To amend an act entitled an act to prevent the running at large of stock in certain portions of Elmore county, approved February 18th, 191.

Was read a third time, at length, and passed, and ordered sent to the House without engrossment.

Yeas, 25; nays, 1.

Yeas:

Messrs:

Barbour	Hamburger	Miller	Spragins
Bayles	Heacock	Moody	Strother
Davis	Horton	McWhorter	Teasley
Forrester	Jones	Overton	Thomas
Gardner	King	Reid	White
Glenn	Leith	Reynolds	Wimberly
Gunn			

—25.

Nays: Mr. Lusk—1.

The bill:

H. 625. To provide for and regulate the working of the public roads in Tallapoosa county, Alabama, and to punish defaulters who fail or refuse to work said roads.

Was taken up.

The following amendment was offered by the committee:

Amend by adding to section 3 the following: "Nothing herein shall be so construed as to prevent the county commissioners or overseer from contracting with persons subject to road duty for necessary teams to be used in working said roads to be accepted in lieu of labor of such hands."

Amend by striking out section 17 of the bill.

Which was adopted.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Lusk	Strother
Bayles	Heacock	Miller	Teasley
Davis	Hinson	McWhorter	Thomas
Doster	Jones	Reese	White
Forrester	King	Reynolds	Wilson
Gardner	Leith	Spragins	Wimberly
Glenn	Lowe		

—26.

And the bill, as thus amended, was read a third time, at length, and passed.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	King	Overton
Bayles	Hamburger	Leith	Reese
Blackmon	Hamner	Lowe	Reynolds
Doster	Hayes	Lusk	Spragins
Forrester	Hinson	Merritt	Strother
Gardner	Horton	Miller	Wimberly
Glenn	Jones		

—26.

The bill:

H. 575. For the relief of John S. Stephenson.

Was read a third time, at length, and passed.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lusk	Spragins
Bayles	Hayes	Miller	Strother
Blackmon	Heacock	Moody	Teasley
Doster	Horton	McWhorter	Thomas
Forrester	Jones	Overton	Wilson
Gardner	King	Reese	Wimberly
Gunn	Leith	Reynolds	

—27.

The bill:

H. 1179. To provide for the celebration of the one hundredth anniversary of the battle of Tohopeka or Horse-shoe Bend, in 1814.

Was read a third time, at length, and passed.

Yeas, 28; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Leith	Spragins
Bayles	Hayes	Lowe	Strother
Blackmon	Heacock	Merritt	Teasley
Forrester	Hinson	McWhorter	Thomas
Gardner	Horton	Reese	White
Glenn	Jones	Reid	Wilson
Gunn	King	Reynolds	Wimberly

—28.

The bill:

S. 600. To make an appropriation for the erection of monuments commemorating the heroic deeds of Alabama's sons, to be expended by the Alabama Monument Commission, with the approval of the governor.

Was taken up.

The following amendment offered by the committee, to-wit:

1. Amend section one by striking out the following words, viz.: "and at such notable places as the position

held by the Alabama brigade near the center of the confederate line at Sharpsburg, at the position taken by Rhodes' Alabama brigade just before Stonewall Jackson fell at Salem Church, at the most advanced position taken by Low's Alabama brigade in the battle of Gettysburg, in the redoubt in the confederate lines at Vicksburg retaken by Texans and Alabamians led by General Edmund W. Pettus.

2. Strike out the word "every" where it occurs in section one next after the words "twenty-five thousand dollars for" and insert in lieu thereof the word "each."

3. Strike out the word "every" where it last occurs in said section one and insert in lieu thereof the word "any."

Was adopted.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Barbour	Gardner	Leith	Reid
Bayles	Glenn	Lusk	Spragins
Blackmon	Hamner	Miller	Thomas
Davis	Hinson	Moody	White
Doster	Horton	McWhorter	Wilson
Forrester	Jones	Reese	Wimberly

—24.

The following amendment offered by Mr. Miller:

"Provided that not more than \$25,000 be expended in any one fiscal year."

Was adopted.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Leith	Reid
Bayles	Hayes	Lowe	Reynolds
Blackmon	Heacock	Lusk	Spragins
Doster	Hinson	Merritt	Strother
Forrester	Horton	Moody	Teasley
Gardner	Jones	Moody	Wimberly
Glenn	King	Overton	

—27.

And the bill, as thus amended, was read a third time, at length, and passed, and ordered sent to the House forthwith without engrossment.

Yeas, 21; nays, 10.

Yeas:

Messrs:

Barbour	Hamner	King	Reynolds
Blackmon	Hayes	Merritt	Spragins
Davis	Heacock	Miller	Teasley
Forrester	Horton	Moody	Thomas
Gardner	Jones	Reese	White
Gunn			

—21.

Nays:

Messrs:

Bayles	Lowe	Overton	Strother
Doster	Lusk	Reid	Wilson
Leith	McWhorter		

—10.

The bill:

H. 900. To amend sections 2, 3, 6, 10, 11 (as amended March 2, 1901) 12 and 18 (as amended March 2, 1901) of "An act to establish a county court for the county of Clay," approved Dec. 13, 1898.

Was taken up.

The following amendment offered by the committee, to-wit:

Change the word "July" to "jury" in line 4, section 5, and strike out all of section 7 of the bill.

Was adopted.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Leith	Strother
Bayles	Heacock	Lowe	Teasley
Davis	Hinson	Moody	Thomas
Forrester	Horton	Reese	White
Gardner	Jones	Reynolds	Wilson
Gunn	King	Spragins	Wimberly
Hamner			

—25.

And the bill, as thus amended, was read a third time, at length, and passed.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Lusk	Strother
Bayles	Heacock	Merritt	Teasley
Davis	Horton	Miller	Thomas
Doster	Jones	Overton	White
Gardner	King	Reid	Wilson
Gunn	Leith	Reynolds	Wimberly
Hamner	Lowe	Spragins	

—27.

The bill:

S. 486. To further protect and promote the propagation of fish, and to protect private interests in ponds, pools, lakes, or other reservoirs or bodies of water containing fish.

Was taken up.

The following amendment offered by the committee, to-wit:

Amend by adding at the end of line 23 the following:

And each county game and fish warden shall receive one-half of all fines, forfeitures and penalties collected in the county in which he holds office. And such moneys shall be so paid by the courts collecting the same, and the remainder shall be forwarded to the State treasurer and covered into the game and fish protection fund.

Was adopted.

Yeas, 28; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Leith	Reynolds
Bayles	Hamner	Lowe	Spragins
Blackmon	Hayes	Merritt	Strother
Davis	Heacock	Miller	Teasley
Doster	Hinson	Moody	Thomas
Forrester	Jones	McWhorter	White
Glenn	King	Reid	Wimberly

—28:

And the bill, as thus amended, was read a third time, at length, and ordered sent to the House forthwith without engrossment.

Yeas, 27; Nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Leith	Strother
Bayles	Hamner	Lowe	Teasley
Davis	Hayes	Miller	Thomas
Doster	Hinson	McWhorter	White
Forrester	Horton	Reese	Wilson
Gardner	Jones	Reynolds	Wimberly.
Glenn	King	Spragins	

—27.

The bill:

H. 366. To provide for the establishment, maintenance and regulation of a dispensary for the sale of spirituous, vinous, malt liquors, ciders and other intoxicants in and for Fayette county, Alabama.

Was read a third time, at length, and passed.

Yeas, 28; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lowe	Reynolds
Bayles	Hayes	Lusk	Spragins
Davis	Heacock	Merritt	Strother
Doster	Horton	Miller	Thomas
Gardner	Jones	Moody	White
Glenn	King	McWhorter	Wilson
Gunn	Leith	Reese	Wimberly

—28.

The bill:

H. 1081. To authorize and empower the commissioners court of Tallapoosa county to fix and regulate the tolls to be charged by the owners of the bridge across the Tallapoosa river at Tallassee, Alabama, for the use of said bridge by passengers and for vehicles, and for traffic, and for whatsoever may pass over the same, and to provide for the enforcement of such rates of toll, and to prescribe penalties for collecting, demanding or re-

ceiving tolls in excess of said rates fixed by said court of county commissioners.

Was read a third time, at length, and passed.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Barbour	Glenn	Lowe	Strother
Bayles	Gunn	Merritt	Teasley
Blackmon	Heacock	Moody	Thomas
Davis	Horton	Overton	White
Doster	Jones	Reid	Wilson
Forrester	King	Reynolds	Wimberly
Gardner	Leith	Spragins	

—27.

The bill:

H. 223. To repeal an act entitled an act to increase the criminal jurisdiction of justices of the peace and notaries public having like powers in Marion county and other counties, approved February 8, 1877, so far as the same relates to Marion county.

Was read a third time, at length, and passed.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Glenn	Lusk	Strother
Bayles	Gunn	Miller	Teasley
Blackmon	Hayes	McWhorter	Thomas
Davis	Horton	Reese	White
Doster	Jones	Reynolds	Wilson
Forrester	King	Spragins	Wimberly
Gardner	Leith		

—26.

The bill:

H. 1210. To repeal section 1 of an act to increase the criminal jurisdiction of justices of the peace in the counties of Limestone, Marion, Greene and Marshall, approved February 12, 1879, so far as Marion county is concerned; and to provide that justices of the peace and notaries public and ex-officio justices of the peace of Marion county shall have and exercise the jurisdiction given by the Code and general laws of the State.

Was read a third time, at length, and passed.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Lowe	Spragins
Bayles	Hayes	Merritt	Strother
Blackmon	Heacock	Moody	Teasley
Davis	Horton	McWhorter	Thomas
Doster	Jones	Reese	White
Forrester	King	Reynolds	Wimberly
Glenn	Leith		

—26.

The bill:

H. 923. To provide that all confederate soldiers, sailors and their widows who are now drawing a pension and who are over the age of eighty years, shall be entitled to and receive a pension of the first class.

Was taken up.

The following amendment offered by the committee, to-wit:

Amend by adding section 2: Section 2. That proof of the age prescribed in section 1 may be made at any time by the affidavit of any competent witness taken before and certified by the judge of probate of any county, and when so made, the judge of probate shall immediately forward same to the State auditor, and the said auditor shall forthwith place such person on the pension roll of the first class.

Was adopted.

Yeas, 28; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lowe	Spragins
Bayles	Hayes	Merritt	Strother
Blackmon	Heacock	Miller	Teasley
Davis	Horton	Moody	Thomas
Doster	Jones	McWhorter	White
Forrester	King	Reese	Wilson
Gunn	Leith	Reynolds	Wimberly

—28.

And the bill, as thus amended, was read a third time, at length, and passed.

Yeas, 28; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lowe	Spragins
Bayles	Hayes	Merritt	Strother
Blackmon	Heacock	Miller	Teasley
Davis	Horton	Merritt	Thomas
Doster	Jones	McWhorter	White
Forrester	King	Reese	Wilson
Gunn	Leith	Reynolds	Wimberly

—28.

The bill:

H. 894. To prohibit any person who holds the office of justice of the peace, or any other office where authority is given to issue warrants of arrest, from acting as attorney in cases where the complaint against the defendant was made before such person, and the warrant of arrest was issued by him, in his official capacity.

Was read a third time, at length, and passed.

Yeas, 28; nays, 1.

Yeas:

Messrs:

Barbour	Hayes	Merritt	Spragins
Bayles	Heacock	Miller	Strother
Doster	Horton	Moody	Teasley
Forrester	Jones	Overton	Thomas
Gardner	King	Reese	White
Glenn	Leith	Reid	Wilson
Hamner	Lusk	Reynolds	Wimberly

—28.

Nay: Mr. Blackmon—1.

The bill:

H. 469. To amend section 12 of an act, to grant a new charter to the Alabama Girls' Industrial School, approved March 4, 1901, and to confer additional powers on the trustees of the school.

Was read a third time, at length, and passed.

Yeas, 27; nays, 0.

Yeas :

Messrs :

Barbour	Hayes	Lusk	Spragins
Bayles	Heacock	Merritt	Strother
Blackmon	Horton	Miller	Teasley
Doster	Jones	Moody	Thomas
Forrester	King	McWhorter	White
Gardner	Leith	Reese	Wilson
Glenn	Lowe	Reynolds	

—27.

The bill :

S. 323. To aid in the establishment of libraries in free public schools of this State.

Was read a third time, at length, and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 24; nays, 0.

Yeas :

Messrs :

Barbour	Jones	McWhorter	Strother
Bayles	King	Overton	Teasley
Blackmon	Leith	Reese	Thomas
Davis	Lusk	Reid	White
Forrester	Merritt	Reynolds	Wilson
Horton	Miller	Spragins	Wimberly

—24.

The bill :

S. 570. To authorize the auditor on certificate of the board of county examiners to restore confederate pensioners to the pension list and pay unpaid pensions, where through mistake, omission or inadvertence dropped from or left off the list.

Was read a third time, at length, and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 26; nays, 0.

Yeas :

Messrs :

Barbour	Gunn	Lowe	Reese
Bayles	Hayes	Lusk	Reynolds
Blackmon	Heacock	Merritt	Spragins
Davis	Horton	Miller	Teasley
Forrester	Jones	Moody	Thomas
Gardner	King	McWhorter	Wimberly
Glenn	Leith		

—26.

The bill,

S. 613. To further direct the expenditure of the money covered by the appropriation heretofore made for the Alabama Industrial School for white boys.

Was read a third time, at length, and ordered sent to the House forthwith, without engrossment.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Leith	Reynolds
Bayles	Hayes	Lusk	Spragins
Blackmon	Heacock	Merritt	Strother
Davis	Horton	Miller	Teasley
Forrester	Jones	McWhorter	Thomas
Gardner	King	Reese	Wimberly
Gunn			

—25.

The bill,

S. 589. To amend sections 1 and 3 of an act entitled an act "To prohibit the sale of adulterated cotton seed meal as fertilizer, to have the same analyzed and a guaranteed analysis printed on tags and tags attached to the bags containing the same, and in case of sales in bulk to have such analysis set forth in the contract of sale, and providing penalties and punishment for violations of the provisions of this act," approved March 2, 1907.

Was read a third time, at length, and passed and sent to the House forthwith without engrossment.

Yeas, 25; nays, 1.

Yeas:

Messrs:

Barbour	Hamner	Leith	Reese
Blackmon	Hayes	Lowe	Reid
Davis	Heacock	Merritt	Reynolds
Doster	Horton	Miller	Spragins
Forrester	Jones	Moody	Thomas
Glenn	King	McWhorter	Wimberly
Gunn			

—25.

Nay: Mr. Bayles—1.

The bill,

H. 778. To prevent the shooting of live pigeons, fowls or other birds for amusement, or as a test of skill in marksmanship and to provide a penalty for same.

Was read a third time, at length, and passed.

Yeas, 23; nays, 3.

Yeas:

Messrs:

Barbour	Hayes	Lowe	Strother
Blackmon	Heacock	Lusk	Teasley
Doster	Horton	Merritt	Thomas
Forrester	Jones	Moody	Wilson
Glenn	King	McWhorter	Wimberly.
Gunn	Leith	Reese	

—23.

Nays: Messrs. Bayles, Hamner, Spragins—3.

The bill,

H. 1232. To make further provisions for defraying the expenses of the legislature.

Was read a third time, at length, and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Barbour	Glenn	King	Reese
Bayles	Gunn	Leith	Reynolds
Blackmon	Hamner	Lowe	Spragins
Davis	Hayes	Lusk	Teasley
Doster	Hinson	Merritt	Thomas
Forrester	Jones	McWhorter	Wimberly.
Gardner			

—25.

The bill,

S. 428. To prevent drinking intoxicating liquors in the presence of passengers on passenger cars.

Was read a third time, at length, and passed, and ordered sent to the House forthwith, without engrossment.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Blackmon	Hamburger	Leith	Spragins
Davis	Hamner	Lowe	Strother
Doster	Hayes	Lusk	Teasley
Forrester	Heacock	Merritt	Thomas
Gardner	Horton	Miller	Wilson
Glenn	Jones	Moody	Wimberly
Gunn	King	Reynolds	

—27.

The bill,

H. 513. To fix the salary of the clerk of the adjutant general and to make appropriation for same.

Was read a third time, at length, and passed.

Yeas, 17; nays, 6.

Yeas:

Messrs:

Davis	Hayes	Miller	Spragins
Doster	Heacock	Moody	Strother
Forrester	Jones	Overton	Teasley
Gunn	King	Reid	Thomas
Hamner			

—17.

Nays:

Messrs:

Barbour	Lowe	McWhorter	Reynolds
Bayles	Lusk		

—6.

The bill,

H. 390. To create "The Alabama Monument Commission."

Was read a third time, at length, and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Leith	Reid
Blackmon	Hayes	Lusk	Reynolds
Davis	Heacock	Merritt	Spragins
Doster	Horton	Miller	Teasley
Forrester	Jones	Moody	Thomas
Gunn	King	Reese	Wimberly.

—24.

The bill,

S. 453. To exempt from taxation for ten years farm wagons with wheel tires which are at least six inches wide.

Was taken up.

The following amendment offered by the committee, to-wit:

Amend by changing the word "six" in the caption of the bill to "four."

Amend by changing the word "six" in line three of section one to "four."

Was adopted. Yeas, 28; nays, 1.

Yeas:

Messrs:

Barbour	Gunn	King	Reynolds
Bayles	Hamner	Leith	Spragins
Blackmon	Hayes	Lowe	Strother
Davis	Heacock	Merritt	Teasley
Forrester	Hinson	Miller	Thomas
Gardner	Horton	Moody	Wilson
Glenn	Jones	McWhorter	Wimberly

—28.

Nay: Mr. Reid—1.

And the bill as thus amended, was read a third time, at length, and passed.

Yeas, 23; nays, 1.

Yeas:

Messrs:

Barbour	Hamner	Lowe	Reynolds
Bayles	Hayes	Lusk	Spragins
Blackmon	Heacock	Merritt	Teasley
Doster	Jones	Moody	Thomas
Forrester	King	McWhorter	Wimberly
Glenn	Leith	Reese	

—23.

Nay: Mr. Wilson—1.

The bill,

S. 454. To further regulate and fix the time when persons are liable for the payment of poll taxes.

Was taken up

The following amendment offered by the committee, to-wit:

Substitute for Senate bill No. 454.

A BILL.

To be entitled an act to further regulate and fix the time when persons are liable for the payment of poll tax.

Section 1. Be it enacted by the Legislature of Alabama, That every male citizen of this State, after having arrived at the age of twenty-one years or becoming, after having arrived at such age, a resident of this State, on or before the first day of October in any year, shall be liable for poll tax for such fiscal year beginning on such first day of October and for each fiscal year thereafter during any part of which he is under the age of forty-five years.

Section 2. All laws and parts of laws in conflict with the provisions of this act are hereby repealed.

Was adopted. Yeas, 24; nays, 0.

Yeas:

Messrs:

Barbour	Glenn	King	Reese
Bayles	Gunn	Leith	Reid
Blackmon	Hayes	Lusk	Spragins
Doster	Heacock	Merritt	Teasley
Forrester	Horton	Miller	Thomas
Gardner	Jones	McWhorter	Wimberly

—24.

Mr. Spragins moved to reconsider the adoption of the above amendment, which was carried.

Mr. Teasley offered the following amendment to the amendment offered by the committee, to-wit:

To amend by inserting after the word "state" the words "not exempt by law."

Which was adopted.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Leith	McWhorter
Bayles	Hamner	Lowe	Overton
Blackmon	Heacock	Lusk	Reynolds
Doster	Horton	Merritt	Teasley
Forrester	Jones	Miller	Thomas
Gardner	King	Moody	Wimberly

—24.

And the amendment of the committee as now amended was adopted.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Barbour	Gardner	Lusk	Reynolds
Bayles	Glenn	Miller	Spragins
Blackmon	Gunn	Moody	Strother
Davis	Hayes	Overton	Teasley
Doster	Horton	Reese	White
Forrester	King	Reid	Wimberly

—24.

And the bill as thus amended.

Was read a third time, at length, and passed, and ordered sent to the House forthwith, without engrossment.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Barbour	Gardner	Leith	Overton
Bayles	Hamner	Lowe	Reese
Blackmon	Hayes	Lusk	Reid
Davis	Hinson	Miller	Spragins
Doster	Jones	Moody	Teasley
Forrester	King	McWhorter	Thomas

—24.

RECESS.

The hour of six-thirty o'clock having arrived the Senate took a recess until 9 o'clock p. m.

NIGHT SESSION.

August, 1907.

The Senate reassembled at 9 o'clock pursuant to adjournment.

A quorum was present.

UNFINISHED BUSINESS.

The Senate resumed consideration of the unfinished business which was

The bill,

S. 546. To amend Secs. 1, 2, 4, 6, 8, 9, 13, 14 and 15 of an act entitled "an act to regulate the registration, branding, sale, tagging and analysis of commercial fertilizers, acid phosphate, fertilizer materials and chemicals in the State of Alabama," approved March 3, 1903.

Pending the consideration of said bill Mr. Spragins disclosed the fact that he owned some stock in a fertilizer factory and desired the sense of the Senate as to whether or not this fact would under the constitution disqualify him from voting on said measure.

Mr. Merritt then offered the following resolution, to-wit:

Resolved, That it is the sense of the Senate that the fact that a senator is a stockholder in a corporation affected by pending legislation has not such a personal or private interest in such question as to disqualify him under the constitution from voting.

Mr. Bayles offered the following amendment to said resolution, to-wit:

"Unless the corporation in which such senator owns stock is a direct beneficiary as distinguished from a remote or contingent interest in the proposed legislation."

Which amendment was adopted.

And said resolution as amended was adopted and the bill as amended

Was read a third time, at length, and passed.

Yeas, 15; nays, 9.

Yeas:

Messrs:

Barbour	Gunn	Lusk	Overton
Bayles	Hayes	Merritt	White
Doster	Leith	Moody	Wilson
Gardner	Lowe	McWhorter	

—15.

Nays:

Messrs:

Blackmon	Jones	Miller	Teasley
Hamner	King	Reynolds	Thomas
Horton			

—9.

RESOLUTION.

Mr. Miller offered the following resolution, to-wit:

Resolved, That House bill No. 34 (to provide for the extension of corporate limits of cities having 35,000 or more inhabitants) be made a special, exclusive, paramount and continuing order for the next legislative day immediately after the report of the standing committees.

Which was referred to the Committee on Rules.

BILLS ON THIRD READING.

The bill,

H. 558. To regulate the employment of child labor in certain mills, factories and manufacturing establishments in this State, and to provide for the inspection of the rooms, places and premises wherein they are worked and to adequately punish violations of this act.

The following amendment offered by the committee, to-wit:

Amend section seven, line ten by striking out after the word "detained" the word "or," and inserting in lieu thereof, the word "and."

Amend section eight by striking out after the words "shall be," the words "final and conclusive" and inserting in lieu thereof the words, "subject to appeal to chancery court."

Was on motion of Mr. Lusk laid on the table.

Yeas, 17; nays, 8.

Yeas:

Messrs:

Davis	King	Merritt	Reese
Gardner	Leith	Miller	Reynolds
Gunn	Lowe	McWhorter	Strother
Hamner	Lusk	Overton	Wilson
Hayes			

—17.

Nays:

Messrs:

Barbour	Blackmon	Jones	Teasley
Bayles	Doster	Spragins	Thomas

—8.

Mr. Blackmon offered the following amendment, to-wit:

Amend the bill by striking out the words "twelve years of age" where they occur in said bill and insert in lieu thereof the words "14 years of age."

Which was on motion of Mr. Lusk laid on the table.

Yeas, 19; nays, 6.

Yeas:

Messrs:

Bayles	Hamner	Miller	Reynolds
Davis	Hayes	Moody	Spragins
Doster	Lowe	McWhorter	Strother
Gardner	Lusk	Overton	Wilson
Gunn	Merritt	Reese	

—19.

Yeas:

Messrs:

Barbour	Jones	Teasley	Thomas
Blackmon	King		

—6.

Mr. Blackmon offered the following amendment, to-wit:

Amend by adding the following: "Provided that it shall be unlawful to work any girl child under the age of 14.

Which on motion of Mr. Lusk was laid on the table.
Yeas, 18; nays, 6.

Yeas:

Messrs:

Barbour	Gunn	Merritt	Overton
Bayles	Hamner	Miller	Reynolds
Davis	Hayes	Moody	Strother
Doster	Lowe	McWhorter	Wilson
Gardner	Lusk		

—18.

Nays:

Messrs:

Blackmon	King	Teasley	Thomas
Jones	Spragins		

—6.

Mr. Blackmon offered the following amendment, to-wit:

Amend by inserting "provided that no child shall be worked more than 54 hours in any one week.

Which was on motion of Mr. Lusk laid on the table.

Yeas, 16; nays, 8.

Yeas:

Messrs:

Doster	Hayes	Miller	Reynolds
Gardner	Lowe	Moody	Spragins
Glenn	Lusk	McWhorter	Strother
Hamner	Merritt	Overton	Wilson

—16.

Nays:

Messrs:

Barbour	Blackmon	Jones	Teasley
Bayles	Davis	King	Thomas

—8.

Mr. Blackmon offered the following amendment, to-wit:

Amend by adding the following: "Provided that it shall be unlawful to work any girl under the age of 14.

Which was on motion of Mr. Lusk laid on the table.

Yeas, 13; nays, 9.

Yeas:

Messrs:

Gardner	Lowe	Miller	Reynolds
Glenn	Lusk	McWhorter	Strother
Hamner	Merritt	Overton	Wilson
Hayes			

—13.

Nays:

Messrs:

Barbour	Doster	King	Teasley
Blackmon	Jones	Spragins	Thomas
Davis			

—9.

Mr. Blackmon offered the following amendment, to-wit:

Amend by adding section 15: "Be it further enacted that the inspector shall make all reports public when he has made the same to the governor."

Which was on motion of Mr. Lusk laid on the table.

Yeas, 16; nays, 9.

Yeas:

Messrs:

Davis	Hayes	Miller	Reese
Gardner	Lowe	Moody	Reynolds
Gunn	Lusk	McWhorter	Strother
Hamner	Merritt	Overton	Wilson

—16.

Nays:

Messrs:

Barbour	Doster	King	Teasley
Bayles	Jones	Spragins	Thomas
Blackmon			

—9.

Mr. Doster offered the following amendment, to-wit:

To amend by striking out section 12 and inserting in lieu thereof.

Section 12. The inspector of jails and alms houses is authorized to employ a competent assistant inspector with the approval of the governor who is authorized

to perform the same duties as by law the inspector is authorized to perform and shall have and exercise the same powers under the direction of the inspector as the inspector has by law—the said assistant inspector must have had at least five years experience as an operator in a cotton factory. The annual salary of the assistant inspector shall be eighteen hundred dollars, payable monthly out of the State treasury as clerks of the department are paid and appropriation therefor is hereby made for the payment thereof.

Which was on motion of Mr. Lusk laid on the table.

Mr. Blackmon offered the following amendment, to-wit:

Amend by adding the following at the end of Sec. 15: Provided that the inspector shall inspect any cotton mill on the request of any county officer or on the demand of five citizens residing in the community of such mill requested to be inspected.

Which was on motion of Mr. Lusk laid on the table.

Yeas, 17; nays, 5.

Yeas:

Messrs:

Davis	Lowe	Moody	Spragins
Doster	Lusk	McWhorter	Strother
Gardner	Merritt	Overton	Thomas
Gunn	Miller	Reynolds	Wilson
Hayes			

—17.

Nays:

Messrs:

Barbour	Blackmon	Jones	King
Bayles			

—5.

And the bill,

Was read a third time, at length, and passed.

Yeas, 23; nays, 1.

Yeas:

Messrs:

Barbour	Blackmon	Gardner	Hamner
Bayles	Doster	Gunn	Hayes

Jones	Miller	Reese	Teasley
Lowe	Moody	Reynolds	Thomas
Lusk	McWhorter	Spragins	Wilson
Merritt	Overton	Strother	

—23.

Nay: Mr. King—1.

The bill,

H. 1186. To provide for the publication of State papers, official records, and of historical materials of the State of Alabama.

Was read a third time, at length, and passed.

Yeas, 19; nays, 0.

Yeas:

Messrs:

Barbour	Gardner	Merritt	Reynolds
Bayles	Hamner	Miller	Spragins
Blackmon	Hayes	Moody	Strother
Davis	Jones	McWhorter	Thomas
Doster	King	Overton	

—19.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bills and ordered same sent forthwith to the Senate without engrossment:

H. 1392. To amend section 4715 of the Code of Alabama, 1896, as amended by an act approved Feb. 21, 1899, and sends same herewith to the Senate.

H. 593. To confirm and ratify the lease of the northeast quarter of section sixteen of township five south of range two east, by the board of education of Baldwin county, Alabama.

And sends same herewith to the Senate with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that a bill will be introduced in the next legislature of Alabama confirming and rati-

fying the lease of the N. E. 1-4 of section (16), of township five (5) of south of range two (2) east in Baldwin county, Alabama, by the board of education in and for said county and State to J. H. Broun for the term of five (5) years from the date of lease made September 20th, 1906.

AFFIDAVIT OF PUBLICATION.

The State of Alabama, }
Baldwin County, }

W. C. Dinwiddie, being duly sworn deposes and says that he is the publisher of the Baldwin Times, a weekly newspaper published at Bay Minette, Baldwin county, Alabama, that the notice of bill to be introduced in the Alabama legislature, a copy of which is hereto attached was printed in said paper for four consecutive weeks beginning with the issue dated 6th day of Dec., 1906.

W. C. Dinwiddie.

Subscribed and sworn to before me this 23rd day of Jan., 1907.

J. H. H. Smith,
Judge of Probate for Baldwin Co., Ala.

NOTICE.

Notice is hereby given that a bill will be introduced in the next legislature of Alabama confirming and ratifying the lease of the N. E. 1-4 of Sec. (16) of township five (5) of south of range two (2) east in Baldwin county, Alabama, by the board of education in and for said county and State to J. H. Broun for the term of five (5) years from the date of lease made September 20th, 1906.

AFFIDAVIT OF PUBLICATION.

The State of Alabama, }
Baldwin County, }

W. C. Dinwiddie being duly sworn, deposes and says that he is the publisher of the Baldwin Times, a weekly

newspaper published at Bay Minette, Baldwin county, Alabama, that the notice of bill to be introduced in the legislature of Alabama as per a copy of which is hereto attached was printed in said paper for four consecutive weeks beginning with the issue dated 6th day of December, 1906.

. W. C. Dinwiddie.

Subscribed and sworn to before me this 8th day of January, 1907.

W. D. Stapleton,
Notary Public, Baldwin Co., Ala.

H. 1288. To authorize the court of county commissioners, board of revenue or other courts of like jurisdiction of Walker county, to contract for supplying the court rooms and offices of the county officers with water, gas, electric lights, heat, telephones and such other conveniences as such court may deem necessary or advisable, and to keep the said rooms and offices in good condition and order, and to provide for the payment of same.

And sends same to the Senate with notice and proof attached and herewith exhibited as follows, to wit:

NOTICE.

Notice is hereby given that a bill will be introduced at the present session of the Legislature of Alabama, in substance as follows:

A BILL.

To authorize the court of county commissioners, board of revenue or other courts of like jurisdiction of Walker county, to contract for supplying the court rooms and the offices of the county officers with water, gas, electric lights, heat, telephones, and such other conveniences as the court may deem necessary or advisable, and to keep the said rooms and offices in good condition and order, and to provide for the payment of same.

Be it enacted by the Legislature of Alabama, That the court of county commissioners, board of revenue, or other courts of like jurisdiction of Walker county, are hereby authorized to contract for supplying water, electric lights, gas, heat, telephones, and such other conveniences as such court may deem necessary or advisable, for the court rooms and the offices of the county officers, and to keep the said rooms and offices in good condition and order. And the treasurer of Walker county is hereby authorized to pay all warrants drawn against the general fund upon such contracts.

The State of Alabama, }
Walker County. }

Before me, R. T. Knight, justice of the peace in and for said State and county, personally appeared J. W. Young, who, being duly sworn, says on oath that he is editor and publisher of the Walker County News, a newspaper published in Walker county, Alabama, and that the attached notice was published in said newspaper each week for four consecutive weeks prior to the meeting of the present session of the Legislature of Alabama.

J. W. Young.

Sworn to and subscribed before me this the——day of July, 1907.

R. T. Knight,
Justice of the Peace.

H. 1327. To amend Sec. 1, 2, 3, of an act entitled an act to provide a new charter for the town of Cordova, Walker county, Alabama, approved December 13th, 1900.

And sends same to the Senate with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that application will be made to the Legislature of Alabama when same reconvenes in July for the passage of the following bill:

AN ACT

To be entitled an act to amend Sec. 1, 2, 3 of an act to provide a new charter for the town of Cordova, Walker county, Alabama, approved December 13th, 1900.

Be it enacted by the Legislature of Alabama, That Secs. 1, 2 and 3 of an act entitled an act to provide a new charter for the town of Cordova, Walker county, Alabama, approved December 13th, 1900, be amended so as to read as follows:

Sec. 1. Be it enacted by the General Assembly of Alabama, That the town of Cordova in the county of Walker, State of Alabama, be and the same is hereby incorporated, and that the limits of the town of Cordova, Walker county, Alabama, are as follows:

S. E. 1-4 and E. 1-2 of S. W. 1-4, Sec. 5, and all that part of the S. W. 1-4 of Sec. 4 lying west of Cane creek, and the E. 1-2 and the E. 1-2 of W. 1-2 of Sec. 8 lying north of Frog Ague creek and the W. 1-2 of Sec. 9 that lies north of Frog Ague creek and south of Cane creek; and all that part of S. W. 1-4 of the S. E. 1-4, Sec. 4, and N. W. of the N. E. 1-4 of Sec. 9, lying south of Cane creek and west of the Warrior river, all in Tp. 15, R. 6, west, Walker county, Alabama.

The following described property belonging to the Indian Head Mills of Alabama are expressly excepted from boundaries and limits of said incorporation, to-wit: S. E. 1-4 of S. W. 1-4, Sec. 5; S. W. 1-4 of S. E. 1-4, Sec. 5; N. E. 1-4 of N. W. 1-4, Sec. 8; N. W. 1-4 of N. E. 1-4, Sec. 8 and nineteen acres on the easterly side of the St. Louis and San Francisco railroad, beginning at a stone at the intersection of the said railroad boundary line with the northerly line of the S. E. 1-4 of the S. E. 1-4 of Sec. 5, thence easterly along the northerly line of S. E. 1-4 of the S. E. 1-4 of Sec. 5 about 45 rods and 13 links to a stone, thence southerly along the branch to a stone about 75 rods and 20 links at the intersection of the line running five feet southerly of lots staked out, thence westerly to a stone on the easterly boundary line of the St. Louis & San Francisco rail-

road lands to place of beginning; also all that part of the N. E. 1-4 of N. E. 1-4, Sec. 8, that lies west of the transfer track. Also all that part of the S. E. 1-4 of S. E. 1-4, of Sec. 5, lying west of the right of way of the St. Louis & San Francisco railroad and all that part of the W. 1-2 of the S. W. 1-4 of the N. E. 1-4, Sec. 8, lying north of the right of way of the Southern Railway Co.

All the above described property is in Tp. 15, R. 6, west.

The property not belonging to the Indian Head Mills of Alabama within the above described limits mentioned as excepted from the boundaries of the incorporation, not excepted from the incorporation. And the present and future inhabitants of said town of Cordova, as by this act incorporated, shall be and they are hereby made and constituted a body politic and corporate under the name and style of "The Town of Cordova." Under and by which name and style the corporate authorities shall sue and be sued, either in law or equity, and may purchase and hold property to the amount of ten thousand dollars, and do all acts incident to bodies corporate.

Sec. 2. Be it further enacted, That the government of said town shall be styled "Mayor and Aldermen of Cordova," and consist of a mayor and five aldermen, citizens of said town, who shall serve the term of two years and until their successors are elected and shall qualify; said officers shall be elected by the male inhabitants of said town who are qualified electors under the constitution and laws of the State of Alabama. The mayor shall be ex-officio justice of the peace during his term of office for the purpose of carrying into effect all laws, by-laws, and ordinances that may be enacted by the corporate authorities of said town for the government of the same. Before entering upon their official duties they shall take an oath to support the constitution of the State and the oath of office therein prescribed.

Sec. 3. Be it further enacted, That all elections of said officers shall be held on the first Monday in July

every two years, but the corporation shall not be dissolved should the election not take place on the day appointed, but the mayor and aldermen shall remain in office until their successors shall be elected and are qualified, and they shall order an election on some day not more than thirty days thereafter. The election for ~~mayor and aldermen~~ shall be in all cases conducted by two of the aldermen, to be appointed by the board for that purpose. The mayor and aldermen shall determine the legality of all elections, declare who have been elected, and in case of a tie, shall determine who shall be mayor and aldermen.

The State of Alabama, }
Walker County. }

Before me, E. W. Long, clerk of the circuit court in and for said State and county, personally appeared J. W. Young, who, being duly sworn, says on oath that he is editor and publisher of the Walker County News, a newspaper published in Walker county, Alabama, and that the attached notice was published in said newspaper once a week for four consecutive weeks prior to the present session of the Alabama Legislature.

J. W. Young.

Sworn to and subscribed before me this the 15th day of July, 1907.

E. W. Long, Clerk.

H. 1358. To better provide for the payment of witnesses in criminal cases who are summoned and appear for the State in the several courts of Walker county.

And sends same herewith to the Senate with notice and proof attached, and herewith exhibited as follows:

NOTICE.

Notice is hereby given that at the present session of the Legislature of Alabama application will be made for the passage of an act providing substantially as follows:

A BILL

To be entitled an act to better provide for the payment of witnesses in criminal cases who are summoned

and appear for the State in the several courts of Walker county.

Section 1. Be it enacted by the Legislature of Alabama, That from and after the first day of January, 1908, witnesses in criminal cases who are summoned and who appear for the State in Walker county, Ala., shall be paid the sum of seventy-five cents per day for each day they are in attendance at any of the several courts of Walker county, Ala., and shall also be paid three cents per mile for the distance traveled in going to and returning from such court, such distance to be computed according to the shortest route most usually traveled in going to the place of holding court.

Sec. 2. That in addition to the money paid or to be paid into the witness fund, as is now provided by law, there shall also be paid one-fourth of all money realized from the hire of county convicts, and also one-fourth of all money collected as fines and forfeitures in Walker county, which money shall be paid to witnesses in criminal cases who are summoned and who appear for the State in the same manner as the other money in said witness fund is paid out.

The State of Alabama, }
Walker County. }

Before me, R. T. Knight, a justice of the peace in and for said county, personally appeared J. R. Gunter, who, being duly sworn, deposes and says that he is the editor of the Mountain Eagle, a newspaper published in Walker county, Alabama; that the attached notice of a bill to better provide for the payment of witnesses in criminal cases who are summoned and appear for the State in the several courts of Walker county, was published in said newspaper once a week for four consecutive weeks, commencing on the 16th day of January, 1907.

J. R. Gunter,

Editor of Mountain Eagle.

Sworn to and subscribed before me this the 17th day of July, 1907.

R. T. Knight,

Justice of the Peace of Beat 1.

H. 1333. Providing for the distribution of any surplus in the State treasury at the close of any fiscal year to the several counties in the State to be used as a supplement to the public road funds.

And ordered same sent forthwith to the Senate without engrossment.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

The House bills in the foregoing House message were severally read once and referred to appropriate standing committees as follows:

H. 1392, to Revision of Laws.

H. 593, to Education.

H. 1288, 1327, 1358, to Local Legislation.

H. 1333, to Privileges and Elections.

REPORT FROM COMMITTEE ON ENROLLED BILLS.

Mr. President:

The committee on Enrolled Bills report that they have examined the following Senate bills:

S. 326. To repeal an act entitled an act to amend section 4630 of the Code of 1896 of Alabama, so far as same relates to beats 10 and 11, of Bibb county, Ala., approved February 21, 1899.

S. 509. To provide for the organization, incorporation, government and regulation of cities and towns and to define the rights, power, duties, jurisdiction and authority of such cities and towns and of the officers thereof, and to prescribe penalties for violations of the provisions of this act.

And find same to be correctly enrolled.

Frank S. Moody,
Chairman.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read at length by the secretary, signed the above Sen-

ate bills, the titles of which are set out in the foregoing report from the committee on Enrolled Bills, the reading at length having been dispensed with by a two-thirds vote of a quorum of the Senate present.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in the Senate amendment to the following House bills:

H. 924. To divide the county of Hale into four commissioners' districts and to provide for the election of a commissioner for each district.

H. 900. To amend sections 2, 3, 6, 10, 11 (as amended March 2, 1901), 12 and 18 (as amended March 2, 1901) of an act to establish a county court for the county of Clay," approved Dec. 13th, 1898.

H. 1194. To establish, maintain and regulate a dispensary in the city of Uniontown, Perry county, Alabama, for the sale of spirituous, or vinous liquors, or malt liquors, wines, ciders or other intoxicating liquors and to establish a board of directors for the purpose of better controlling and managing the sale of spirituous or vinous liquors, malt liquors, wines, ciders or other intoxicating liquors; to provide for the distribution of the profits from the sale of said liquors in said dispensary between said city and said county, and for other purposes.

H. 1104. Mer the relief of Mary Marler, Mary J. Simpler, widows of confederate soldiers, and A. Campbell, a confederate soldier, being residents of Crenshaw county, Alabama.

H. 1293. To allow the selling or otherwise lawfully disposing of lager beer by the proprietor, or manager, of the Park hotel to be erected at Montrose in Baldwin county.

H. 938. To alter or re-arrange the boundary lines of the city of Bessemer, Jefferson county, Alabama.

H. 868. To prohibit the sale, giving away, or otherwise disposing of spirituous, vineous or malt liquors, or other intoxicating drinks or beverages within five miles

of the Corona Methodist church in Corona in Walker county, Alabama.

H. 1196. To amend section 13 of an act to establish, maintain and operate a dispensary in the town of Marion, Perry county, Alabama, for the sale of spirituous or vinous, malt liquors, wines, ciders or other intoxicating liquors and to establish a board of directors for the purpose of better controlling and managing the sale of spirituous or vinous liquors, malt liquors, wines, ciders or other intoxicating liquors or for other purposes, approved February 28th, 1901.

H. 923. To provide that all confederate soldiers, sailors and their widows, who are now drawing a pension and who are over the age of eighty years shall be entitled to and receive a pension of the first class.

H. 625. To provide for and regulate the working of the public roads in Tallapoosa county, Alabama, and to punish defaulters who fail or refuse to work said roads.

Cyrus B. Brown,
Clerk.

MESSAGE FROM THE GOVERNOR.

House of Representatives:

I herewith return H. B. 562, entitled an act to regulate the practice of pharmacy and the sale of poisons in the cities and towns of more than nine hundred inhabitants in the State of Alabama and fixing the penalty for violations thereof and to repeal chapter 89 of the civil Code of Alabama 1896, and section 5335 of the criminal Code of Alabama of 1896 and all other laws in conflict with the provisions of this act.

I suggest the following amendments thereto- viz.:

1. Amend section 1 by striking out therefrom the words: "from among a list of three names to be submitted to the governor by the Alabama Pharmaceutical Association," where said words occur together in said section, and by inserting in lieu thereof the following words, viz: "by the governor."

Also amend section 1 by striking out therefrom the words: "as aforesaid from among a list of three names to be submitted to the governor by the Alabama Phar-

maceutical Association," where said words occur together in said section, and by inserting in said section 1 in lieu thereof the following words: "by the governor,"

B.. B. Comer,
Governor.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has received the accompanying message from his excellency, the governor, proposing an amendment to H. B. 562, an act to regulate the practice of pharmacy and the sale of poisons in the cities and towns of more than nine hundred inhabitants in the State of Alabama and fixing the penalty for violations thereof and to repeal chapter 89 of the civil Code of Alabama, 1896, and section 5335 of the criminal Code of Alabama, 1896, and all other laws in conflict with the provisions of this act.

And the House has concurred in and adopted the amendment proposed by the governor to said bill by a majority vote of the whole House..

The vote on said amendment being as follows: Yeas, 54; nays, 1.

And the House herewith sends said bill, together with the governor's message, to the Senate for its consideration.

HOUSE MESSAGE.

On motion of Mr. McWhorter, the Senate concurred in and adopted the amendments proposed by the governor to H. 562, the title to which and the proposed amendment thereto is contained in the foregoing message from the governor and House of Representatives.

Yeas, 14; nays, 6.

Yeas:

Messrs:

Gardner	Lusk	McWhorter	Strother
Hamner	Merritt	Reese	Thomas
Hayes	Miller	Reynolds	Wilson
Lowe	Moody		

—14.

Nays:
 Messrs:
 Barbour . Jones Spragins Teasley
 Bayles King

—6.

Which was a majority of the whole number elected to the Senate.

ADJOURNMENT.

At 11 o'clock p. m. the Senate adjourned until 8:30 o'clock tomorrow morning.

FORTY-EIGHTH DAY.

Friday, August 2, 1907.

The Senate met pursuant to adjournment, President pro tem Thomas in the chair and presiding.

Prayer by Rev. Mr. Malone, of the House of Representatives.

ROLL CALL.

Present:

Messrs:

Barbour	Hamburger	Lowe	Reynolds
Bayles	Hamner	Lusk	Spragins
Blackmon	Hayes	Merritt	Strother
Davis	Heacock	Miller	Teasley
Doster	Hinson	Moody	Thomas
Forrester	Horton	McWhorter	White
Gardner	Jones	Overton	Wilson
Glenn	King	Reese	Wimberly
Gunn	Leith	Reid	

—35.

JOURNAL.

On motion of Mr. Blackmon, the reading of the journal of yesterday was dispensed with and the same was approved.

REPORTS OF COMMITTEES.

Mr. Merritt, chairman of the standing committee on Local Legislation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:

H. 1337. To require the sheriff of Lawrence county to procure from the office of the United States Internal Revenue Collector for the State of Alabama, a list of persons, firms or corporations in Lawrence county, to whom licenses have been issued for the sale of spirituous, vinous, or malt liquors, and to publish the same in some newspaper published in said county.

Also,

H. 1278. To amend section 8 of an act entitled an act to provide for the construction and maintenance of good public roads and bridges in the several counties of the State of Alabama, approved October 10, 1903.

Mr. Bayles, chairman of the standing committee on Revision of Laws, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report:

H. 1300. To amend section 393 of the Code of 1896.

Mr. Overton, chairman of the standing committee on Commerce and Common Carriers, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:

S. 563. To amend section 4 and section 6 of an act entitled an act to regulate running, operating or driving automobiles, locomobiles and motor vehicles of like kind upon the public roads and highways of this State, approved October 9, 1903.

Also,

H. 1342. To amend sections 14 and 16 of an act entitled "An act to prescribe rules and regulations relating to demurrage and car service and the charges therefor and the respective rights, duties, obligations, liabilities and remedies of common carriers by rail and shippers and consignees with respect to the furnishing of empty cars and the transportation and delivery of

freight and delay of shippers and consignees in the loading and unloading of cars and the receiving of freight, and charges for such delay," approved February 28, 1907.

Also,

H. 1343. To authorize the railroad commission of Alabama to ~~modify or change~~ any rule or regulation prescribed by statute relating to demurrage of car service and charges therefor and the respective rights, duties and obligations of common carriers by rail and shippers and consignees with respect to furnishing empty cars and the transportation and delivery of freight and delay in the loading and unloading of cars and receiving of freight and charges therefor.

Also,

H. 1133. To authorize cities of the State of Alabama, having, according to the next preceding Federal census, a population of thirty-five thousand, to compel the construction and maintenance of bridges, viaducts and tunnels and their approaches, over, under or across railroad tracks within the city limits; and to provide for defraying the expense of the same.

Mr. Wimberley, chairman of the standing committee on Public Health, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report:

H. 320. To educate the children of Alabama on the evils of intemperance.

Mr. Davis, chairman of the standing committee on Privileges and Elections, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:

H. 1333. Providing for the distribution of any surplus in the State treasury at the close of any fiscal year to the several counties in the State to be used as a supplement to the public road funds.

The foregoing bills contained in said committee reports were severally read a second time and placed on the calendar.

RETURN AND RECOMMITMENT OF BILL.

Mr. Wimberley, from the committee on Public Health, returned to the Senate:

H. 32. To establish reformatories for inebriates under the government of the trustees of "The Alabama Insane Hospitals;" to regulate the admission of inebriate persons, their treatment and discipline therein, and their discharge therefrom; and to appropriate \$50,000 to erect, furnish, and equip the necessary additional buildings therefor.

And recommended that it be referred to committee on Finance and Taxation, which was accordingly done.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following Senate bills:

S. 524. To prohibit the sale, barter or exchange of spirituous, vinous or malt liquors or intoxicating beverages or drinks within five miles of the Presbyterian and Baptist churches at Pleasant Hill, Dallas county, Alabama, and to provide for the punishment of the violation of said act by the circuit courts of Dallas or Lowndes counties.

And returns the same herewith to the Senate.

S. 448. To repeal an act entitled an act "To define who are delinquent children and to provide for their arrest and care and reformation, approved March 12, 1907," in so far as it applies to Dallas county.

And returns the same herewith to the Senate.

S. 581. To require the tax assessor of Mobile county to make a lot book for the years 1906, 1907 and each year thereafter, showing in abstract form all legal subdivisions which have been or which may hereafter be made of all property in Mobile county, and the name of the person, firm or corporation to whom each lot or subdivision is assessed for the said years; and to provide compensation therefor.

And returns same herewith to the Senate.

S. 608. To provide that no license or taxes of any character shall be required by the State, county or municipality from the Alabama Agricultural Association or from those who conduct business under contract with it on its grounds during the time its annual fair is actually in progress.

And returns same herewith to the Senate.

Cyrus B. Brown,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended, as therein shown, and as amended has passed the following Senate bills:

S. 567. To authorize incorporated towns and cities of Tuscaloosa county to establish, maintain and operate dispensaries, and in and through such dispensaries to buy and sell spirituous, vinous and malt liquors, and to prohibit and punish the selling of liquors and intoxicating drinks in said county in any other way than by such municipal corporations through their dispensaries; to declare that the violation of certain provisions of this act shall be a misdemeanor and to provide for the punishment thereof; to further regulate the sale of liquors in said county; and to repeal an act entitled an act to authorize all incorporated towns and cities in Tuscaloosa county to buy and sell spirituous, vinous and malt liquors, and to provide for the distribution of certain profits arising therefrom, and to further regulate or prohibit the sale of such liquors in said county, approved on the 27th day of February, 1901; this act not being intended however to repeal or affect any existing law under which the sale of liquors in said county may hereafter be prohibited.

And returns same herewith to the Senate.

S. 488. To increase the salary of the solicitor of the county of Etowah, as now fixed by law, and to fix the same, and to provide for its payment.

And returns same herewith to the Senate.

S. 496. To amend section 12 of an act entitled an act to establish, maintain, regulate and make efficient a dispensary for Madison county, located in the city of Huntsville, approved February, 1907, and to add section 13 1-2 thereto.

And returns same herewith to the Senate.

S. 506. To amend section 1372 of the Code of 1896 of the State of Alabama.

And returns same herewith to the Senate.

S. 542. To provide for the construction, repairing, working and maintaining the public roads and bridges in Madison county.

And returns same herewith to the Senate.

S. 471. For the relief of Jno. S. Bonner, a disabled ex-confederate soldier of Pickens county, Alabama.

And returns same herewith to the Senate.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Moody, the Senate concurred in the House amendment to Senate bill No. 567, the title to which is set out in the foregoing message from the House, said amendment being as follows:

Amend Senate bill No. 567, as follows, to-wit:

1. Erase from section six (6) the following sentence, to-wit: "Any person who may be injured by the failure of the dispenser to observe the provisions of this act, or of any rule, ordinance or regulation of his town or city in reference to his dispensary may sue said dispenser on his bond."

2. Erase section fifteen (15) of said bill and insert instead thereof, the following:

Section 15. The dispenser shall not sell liquors of any kind except those which he receives from the purchasing agent of his dispensary. He shall not sell on Sundays, or sell to minors or to persons of known intemperate habits. He shall not sell at any one time more than one pint of whiskey, brandy, gin, or ale, or of any two of these liquors, or of all of them together. But the dispenser may sell at one time to persons resid-

ing outside the corporate limits of both the city of Tuscaloosa and the town of Northport as much as one quart of whiskey, brandy, gin or ale, or of any two of them, or all of them together. But before making such sale the dispenser may require such applicant to sign a written statement that he lives outside the corporate limits of both said city and said town. The dispenser shall sell for cash only. He shall keep an accurate record of the amount of each day's sales. All books, papers, accounts and records of the dispenser shall at all times be open to the legislative body of his town or city and of every member thereof and of every citizen of the county. On the first day of each month each dispenser shall make to the legislative body of his town or city a complete statement of the assets and liabilities of his dispensary as they stood on the last day of the preceding month. Said report shall also state the average number of sales for each business day during the preceding month. Said report shall at once be published in a newspaper published in the dispenser's county. Such report shall be made on such forms and under such directions, rules and regulations as the legislative body may prescribe. In said report the dispenser shall give full and accurate information as to the condition, expenses, profits, losses and status of his business. He shall give other and additional information, orally or in writing, whenever and as often as the legislative body of his town or city or any member of said body may require.

3. Erase section sixteen (16) of said bill and insert instead thereof, the following:

Section 16. If the dispenser or any of his assistants, servants or employes sells, hands, or delivers any liquors except those which the dispenser has received from the purchasing agent of his dispensary, or sells, hands, or delivers any liquor on Sunday or sells, hands, or delivers any liquor to minors or to persons of known intemperate habits, or sells, hands, or delivers at any one time more than one pint of whiskey, brandy, gin or ale, or of any two of these liquors or all of them together, except as is allowed in section fifteen (15) of this act, such dispenser, servant, or employee shall be

guilty of a misdemeanor, and, on conviction, shall be fined not less than two nor more than one hundred dollars (\$100.00). If the dispenser, or any of his assistants, servants or employees, sells, hands or delivers liquors of any kind to any person when he knows or has cause to believe that the dispenser, or any other officer, servant or employee of the dispensary has previously sold liquors to such person during that day, then the person so selling, handling or delivering such liquor shall be guilty of a misdemeanor, and on conviction, shall be fined not less than ten nor more than one hundred dollars. If the dispenser, or any of his assistants, servants or employees sells more than one quart of whiskey, brandy, gin, or ale, or of any two or these liquors, or of all of them together, to any person who resides outside of the corporate limits of both the city of Tuscaloosa, and the town of Northport, such dispenser, servant or employee shall be guilty of a misdemeanor, and, on conviction, shall be fined not less than ten nor more than one hundred dollars.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Lusk	Spragins
Bayles	Hinson	Merritt	Strother
Davis	Horton	Miller	Teasley
Forrester	Jones	Moody	Thomas
Glenn	King	McWhorter	Wilson
Gunn	Leith	Reese	Wimberly.
Hamner	Lowe	Reynolds	

—27.

On motion of Mr. Hamner, the Senate concurred in the House amendment to Senate bill No. 488, the title to which is set out in the foregoing message from the House, said amendment being as follows:

Amend Sec. 2 by adding the following words: Provided that there shall have been paid into the county treasury from the earnings of said solicitor the sum of twenty-four hundred dollars on or before the 26th day of December of each year after the approval of this act.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Heacock	Merritt	Spragins
Bayles	Horton	Miller	Strother
Blackmon	Jones	Moody	Thomas
Forrester	King	McWhorter	White
Gardner	Leith	Overton	Wilson
Gunn	Lowe	Reynolds	Wimberly
Hamner	Lusk		

—26.

On motion of Mr. Hamner, the Senate concurred in the House amendment to Senate bill No. 506, the title to which is set out in the foregoing message from the House, said amendment being as follows:

A BILL

To be entitled an act to increase the fees for ex-officio services of the clerk of the city court of Gadsden, the judge of probate and sheriff of Etowah county, and to provide for the payment of the same.

Be it enacted by the Legislature of Alabama, That the clerk of the city court of Gadsden, the judge of probate and the sheriff of Etowah county shall be entitled to receive a sum not exceeding four hundred dollars per annum for performing official duties not otherwise provided, to be paid out of the county treasury, in such sum and at such time as may be allowed by the court of county commissioners of Etowah county; provided, however, that said court of county commissioners may provide such sum not exceeding the amount above mention as to them may seem just and right.

Be it further enacted, That all laws and parts of laws in conflict with the provisions of this act, so far as the same applies to Etowah county, be and the same are hereby repealed.

Yeas, 25; nays, 1.

Yeas:

Messrs:

Barbour	Hamner	Leith	Strother
Bayles	Hayes	Moody	Teasley
Blackmon	Heacock	McWhorter	Thomas
Doster	Horton	Overton	White
Forrester	Jones	Reynolds	Wilson
Glenn	King	Spragins	Wimberly
Gunn			

—25.

Nays: Mr. Lusk—1.

On motion of Mr. Wimberly, the Senate concurred in the House amendment to Senate bill No. 571, the title to which is set out in the foregoing message from the House, said amendment being as follows:

Amend the bill by striking out all amounts in act up to year 1907 and placing name on pension roll with \$30.00 pension for 1907.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Bayles	Heacock	Lusk	Strother
Blackmon	Hinson	Merritt	Teasley
Doster	Horton	Miller	Thomas
Forrester	Jones	McWhorter	Wilson
Gunn	King	Overton	Wimberly
Hamner	Leith	Reynolds	
Hayes	Lowe		

—25.

On motion of Mr. Spragins, the Senate concurred in the House amendment to Senate bill No. 542, the title to which is set out in the foregoing message from the House, said amendment being as follows:

A BILL

To be entitled an act to provide for the construction, repairing, working and maintenance of the public roads and bridges of Madison county.

Be it enacted by the Legislature of Alabama:

Section 1. The probate judge of Madison county shall, as soon as practicable after the approval of this act, and every two years thereafter, except as hereinafter provided, appoint a supervisor of public roads for said county, whose term of office shall be two years; provided, however, that the supervisor first appointed ~~after the approval of this act~~, shall hold office until the first day of October, 1909, at which time his successor shall be appointed for a term of two years, and every two years thereafter a supervisor shall be appointed. Such supervisor shall be a competent graduate civil engineer with experience in road building and shall be subject to removal by said judge for drunkenness, incompetency, neglect of duty, or for any cause to be determined by said judge. Such supervisor may make the bond required of him in section 3 of this act, in a solvent guaranty company to be approved by such judge.

Section 2. That such supervisor shall before entering upon the duties of his office, qualify by taking and filing the statutory oath of office and giving bond conditioned for the faithful performance of the duties of such office, payable to Madison county, in such sum as may be prescribed by said court, not less than one thousand dollars, with sureties thereon to be approved by the probate judge of said county, which oath and bond shall be recorded as other official bonds required to be recorded, in the office of the judge of probate.

Section 3. That the supervisor of public roads shall receive a salary for each year's service of not less than eighteen hundred dollars nor more than twenty-four hundred dollars, to be determined within said limit by the commissioners' court and to be paid to him in monthly installments at the end of each month, by warrant to be drawn by the judge of probate on the road fund of the county.

Section 4. That said supervisor shall have control and supervision of all the public roads of said county as to the manner of working, repairing and maintaining the same, as to changes of old roads and establishing of new roads when ordered established by the commission-

ers' court, and of the execution of any contract that may be made for the working and repairing roads, or of repairing and building bridges, culverts, or cause-ways; provided, that at all times the said supervisor shall be under the direction and control of the commissioners' court of said county.

Section 5. That the supervisor shall have authority, and it shall be his duty, immediately after entering on the duties of his office, to appoint a competent person in each precinct of the county as enumerator of road hands for such precinct, for a term of two years, which said enumerator shall make oath in writing that he will faithfully discharge the duties of said office, which said oath may be administered by said supervisor, and when so taken shall be filed in the office of the judge of probate of said county, and there preserved for public examination.

Section 6. That as soon as the enumerator and list of road hands hereinafter provided for shall have been made and filed in the office of the judge of probate, it shall be the duty of such enumerator, by and with the advice and under the supervision of the supervisor, to divide the public roads of each precinct into sections of such length, as he may determine, numbering consecutively the said sections, and he shall then appoint such overseers as he may deem necessary, for a term of two years, for the efficient and proper working and maintenance of the roads in such precinct, and assign such section or sections to each overseer as he may determine, and to each overseer he shall apportion such road hands for each section as to the amount and character of work to be done on such section as may, in his judgment, be necessary, and he shall deliver a list of such road hands to such overseer and keep a duplicate list for filing in the office of said supervisor, and to there be for ready reference.

Section 7. That it shall be the duty of said supervisor to cause each overseer to take and subscribe in writing an oath that he will faithfully perform the duties of overseer, which oath may be administered by said supervisor or enumerator and shall be filed in the office of

the judge of probate. To each overseer so appointed the said supervisor shall deliver a commission setting forth the section or sections over which he has been appointed, together with the grade of the road or roads of each section; provided, that when a vacancy occurs in the office of the overseer, from whatever cause, the same ~~shall be filled by said supervisor, and provided further,~~ that said enumerator, by and with the ~~advice and consent~~ of the supervisor, may at any time, remove an overseer for neglect, failure or refusal to perform his duties or for drunkenness while discharging the duties of his office.

Section 8. That said supervisor shall personally inspect all the public roads in the county at least once each year, and in making such inspection, when practicable, shall be accompanied by the overseer of the section, and he shall make such suggestions and give such directions as to changing road beds, establishing, repairing, improving and working the public roads and in building, repairing and maintaining bridges and culverts as he may deem proper. He shall make full reports of the condition of the public roads, and the manner in which any contracts have been or are being executed to the court of county commissioners at the February, May, August and November terms of said court in each year, and such special reports as said court may call for at other times.

Section 9. That the enumerator hereinbefore provided for shall, immediately after the first day of January of each year, make a thorough and complete canvass of his precinct, taking down the names and ages of all male inhabitants of the precinct over twenty-one and under forty-five years of age residing in said precinct and entering opposite each name so enrolled the name or location of the farm on which he resides, or the location of the house in which he dwells and the name of the public road nearest to his dwelling place. The said enrollment book shall be written in a plain, legible manner, with ink, and upon the completion of the enrollment be at once filed in the office of the probate judge, or delivered to the supervisor.

Section 10. That said enumerator shall have authority to administer oaths and in making his enrollment of road hands, or at any time when it may be necessary to list persons for road service, if the person proposed to be listed shall claim to be over forty-five or under twenty-one years of age, the said enumerator may take the affidavit of such person or any person so proposed to be listed, which affidavit shall be in writing and subscribed by the affiant and the same shall be preserved and filed by such enumerator in the office of the probate judge, except in cases where he has cause to believe that perjury has been committed when he shall return such affidavit to the next grand jury; provided, that in listing persons for road duty no person who shall have a certificate of exemption from the county medical board shall be listed for the road service then ordered, unless such disability be permanent and so stated in the certificate.

Section 11. That the enumerator herein provided for shall be exempt from further road service during the years he so serves, and shall receive the sum of ten dollars per year during the time he serves; provided, that such enumerator shall hold office at the will of the supervisor, and may be removed by him at any time for neglect of or failure to perform his duties, or for partiality or favoritism shown therein, and upon removal shall be subject to enrollment as a road hand.

Section 12. That on the appointment of overseers the enumerator is not restricted to persons who are subject to road duty under this act, and it shall be the duty of each overseer to make quarterly reports to the supervisor of any and all moneys received by him from hands in commutation of labor, the name of the person from whom received, and when and for what paid, and shall pay over the same to the supervisor, taking his receipt therefor, and said supervisor shall pay the same to the county treasurer to be credited by him on the books of the road fund of the county; and it shall be the duty of the commissioners' court as far as practicable, to appropriate an amount at least equal to such funds

for the working or maintenance of the respective roads to which the hands paying the same were apportioned.

Any overseer appropriating for his own use any money paid to him in commutation of labor shall be guilty of embezzlement and shall be liable to criminal prosecution therefor as provided by law in such cases.

Section 13. That all persons subject to road duty under the general laws of the State shall be required to work upon the public dirt roads of said county for not less than six days in each year, or instead thereof, shall pay the sum of three dollars annually or may pay a part in money and a part in labor at fifty cents per day, to be collected as hereinafter provided.

Section 14. That whenever an overseer shall determine that a dirt road needs repairing or working, or when the supervisor shall so direct, he shall call out such hands as have been listed to him as he may deem sufficient in number to work or repair said road, but may take instead thereof fifty cents per day for each day's work for which each hand is called at the option of the hand, and if any hand shall fail or refuse to work or pay fifty cents for each day he shall fail or refuse to work, it shall be the duty of the overseer, after five day's from the warning to work was given, to return each and every hand so failing or refusing, to a justice of the peace of the county, and such road hand shall be proceeded against as a road defaulter under the general road laws of the State; provided, that the overseer may excuse defaulters on showing good excuse on oath, which may be administered by the overseer, within five days after default. Any person making a false affidavit to the overseer to get excused shall be guilty of perjury.

Section 15. That a day's work for road hands under this act shall be ten hours of actual service and the warning of hands shall be made in accordance with the general laws of the State, but no farm hand or person engaged in farming shall be worked except between January first and March first, and July fifteenth and September first, except in opening new roads as now provided by law or, for the removal of an obstruction or other casualty or great need that prevents travel. No

hand shall be required to go more than six miles from his residence in working the public roads.

Section 16. That when a road hand listed to an overseer, who has performed part of his road service, removes from a precinct, it shall be the duty of the overseer to furnish him on demand a written certificate showing the time he has served during the calendar year, which certificate shall be an exemption to such hand to the extent of the time worked from road service in any other precinct in the county to which he may remove.

Section 17. The supervisor shall let all repairing, keeping in order, building or constructing of all macadamized and gravelled roads, and public bridges, except emergency repairs of less than twenty-five dollars in value, at public outcry to the lowest responsible bidder upon such notice and at such place within the county as the commissioners' court may prescribe. All work shall be done in accordance with full and accurate specifications to be furnished by the supervisor. Each contractor shall give bond to be approved by the judge of probate, for the faithful performance of his contract equal to the amount he is to receive for the work undertaken by him. When such work is finished it shall be examined by the supervisor and if approved by him he shall give to the contractor an order on the commissioners' court for the amount of his contract which shall be paid by warrant drawn by the probate judge on the road fund of the county. The supervisor shall have the right, if he thinks the bids for work on such roads too high, to reject any and all bids made. In this event he shall re-advertise for bids for such work, and if in his judgment all bids are still too high, he shall have the right to reject them, and the commissioners' court shall then order such work to be done by said supervisor. A careful account of the cost of such work so done by the supervisor shall be kept and filed with the probate judge and shall be open to the inspection of the public.

Section 18. Whenever a new pike or gravel road is built a dirt road of equal dimensions and flush therewith shall also be constructed, if practicable.

Section 19. Persons hauling logs, lumber or timber over the roads of the county to sell, or for another, for hire, and not for their own use or the improvement of their farms, and persons regularly engaged in the business of hauling over the roads of the county or whose principal business is hauling over the roads of the county, shall pay a license of two and one-half dollars per month for each two-horse wagon and five dollars per month for each four-horse wagon so used in hauling. It is not intended hereby to require a license for private hauling connected with or usual to the ordinary operation of a farm. Such license to be issued by the probate judge, the proceeds thereof to be paid into the road fund of the county. For issuing each license the judge shall be entitled to a fee of twenty-five cents to be paid by the party procuring the license.

It shall be unlawful to do the hauling herein forbidden without first procuring such license.

Any person violating the provisions of this section shall be guilty of a misdemeanor, and on conviction, fined not less than ten nor more than fifty dollars, to be paid in lawful money, which fine when collected shall be paid over to the road supervisor as part of the road fund.

Section 20. That the overseer of the roads appointed under this act shall be exempt from road duty, immediately after he shall serve as overseer, for the same time that he may serve as such overseer.

Section 21. That all male inhabitants of the county between the ages of twenty-one and sixty-five years are subject to road duty under this act as enumerators or overseers.

Section 22. That whenever it can be done, it is the duty of the supervisor to have the roads worked by the overseer at such time as the implements bought and furnished by the county may be used first by one overseer and then by another, so that such implements may be used by all the overseers as much as possible.

Section 23. That any overseer or enumerator who fails to perform his duty as such under the provisions of this act, shall be liable to prosecution, and fined on

conviction not less than ten dollars nor more than fifty dollars.

Section 24. That the supervisor of roads shall be under the control and direction of the commissioners' court of the county, who shall require him to devote his entire time to the public roads and bridges of the county, and he shall be furnished with all necessary stationery and blanks for the use of his office, and that he shall keep such books and accounts, lists of overseers, enumerators and road hands as to show all transactions pertaining to the establishing, working, repairing and maintenance of the public roads and bridges and shall be provided with a desk in the court house in which to keep his books and other papers pertaining to his office.

Section 25. It shall be the duty of every person, firm or corporation employing hands, to furnish the supervisor, upon his application, a list of hands in their employ between the ages of twenty-one and forty-five, and failing so to do, such person, firm or corporation shall be guilty of a misdemeanor, and on conviction fined not less than ten nor more than fifty dollars.

Section 26. That it shall be the duty of the court of county commissioners of Madison county to have this act printed for the use of said court and other courts of the county and for the officers herein named.

Section 27. That the court of county commissioners shall have full power and authority to make and establish such rules and regulations, not in conflict with this act, as it may deem necessary for the proper establishing, working, maintaining and repairing the public roads, bridges and culverts of said county and for requiring all person charged with any duty, power or liability under this act, a rigid performance thereof.

Justices of the peace shall have jurisdiction of the offenses herein created for violations of the provisions of this act, except felonies.

Section 28. The present macadamized and graveled roads of the county shall be first put in condition, that they may be saved and kept, before any new ones are built.

Section 29. This act shall take effect October 1st, 1907, and all laws and parts of laws in conflict with any of its provisions are repealed.

Yeas, 28; nays, 0.

Yeas:

Messrs:

Barbour	Heacock	Lusk	Spragins
Blackmon	Hinson	Merritt	Strother
Forrester	Horton	Miller	Teasley
Gardner	Jones	Moody	Thomas
Gunn	King	Overton	White
Hamner	Leitch	Reid	Wilson
Hayes	Lowe	Keynolds	Wimberly

—28.

On motion of Mr. Spragins, the Senate non concurred in the House amendment to Senate bill No. 496, the title to which is set out in the foregoing message from the House, and requested a committee of conference.

Whereupon the President of the Senate appointed as committee on the part of the Senate, Messrs. Spragins and Moody. Said amendment being as follows:

A BILL

To be entitled an act to amend an act entitled an act to establish, maintain, regulate and make efficient a dispensary for Madison county located in the city of Huntsville, approved February, 1907, by adding section 13 1-2 thereto, which restricts minors entering said dispensary.

Be it enacted by the Legislature of Alabama, That section 13 1-2 is hereby added to said act which shall read as follows: It shall be unlawful for any minor to enter said dispensary unless in company with his parent or guardian, without the written order or consent of such parent or guardian to the dispenser; and that any

minor violating the provisions hereof shall be guilty of a misdemeanor, and on conviction shall be fined not less than ten nor more than fifty dollars. It shall be the duty of the dispenser to arrest forthwith any minor violating the provisions hereof.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bills and ordered same sent forthwith to the Senate without engrossment:

H. 68. To define extortionate usury and to punish the same.

H. 573. To require the president of the convict board to give bond in the sum of twenty thousand dollars, to be approved by the governor and filed and recorded in the Secretary of the State.

H. 354. Requiring the tax collectors and tax assessors of the several counties of the State of Alabama, to keep their offices at the court houses of their respective counties and to regulate the times for keeping said offices open.

H. 1391. To prescribe the rules of evidence upon applications of confederate soldiers or sailors, resident citizens of Alabama, and their widows for pensions under the pension laws of Alabama as to proving the facts of service in the confederate army, or in the State troops of Alabama and that they did not desert, and to provide for a special session of the State and county boards of examiners during the year 1907, for the examination of applicants, and to repeal all laws and parts of laws in conflict with this act.

H. 280. To furnish blanks to justices of the peace, notaries public and ex-officio justices of the peace, and constables, necessary for their business in their courts and to make provisions for the payment thereof.

H. 229. To provide for official stenographic reporters in the several circuit courts in the State of Alabama, and to provide for their compensation and prescribe

their duties, and provide a penalty for a violation of the provisions of this act.

And sends same herewith to the Senate.

And the House has adopted the following House joint resolution:

H. J. R. 334. Resolved by the Legislature of Alabama, That the three servants who waited on the joint committee on the Code be paid twenty dollars each, upon the order of the chairman of the committee.

And sends same herewith to the Senate.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

The House bills and joint resolution in the foregoing House message were severally read once and referred to appropriate standing committees as follows:

H. 68, to Military.

H. 573, 354, to Judiciary.

H. 1391, to Revision of Laws.

H. 280, 229, to Finance and Taxation.

H. J. R. 337, to Rules.

NOTICE.

Mr. Reid gave to the Senate the following notice:

Notice is hereby given that on the next legislative day a motion will be made to take House bill 1092 from the adverse calendar and place the same on the calendar for third reading and passage.

RESOLUTION.

Mr. Reynolds offered the following resolution, to-wit:

Resolved by the Senate, the House concurring, that the governor is hereby requested to return to the Senate, Senate bill 421. (Relates to roads of Bibb county, two bills passed by mistake.)

Which, under a suspension of the rules, was adopted.

REPORT OF COMMITTEE..

Mr. White, from the committee on County and County Boundaries, made the following report:

Mr. President:

I herewith return to the Senate House bill No. 936, proposing an amendment to the Constitution, without any action on the part of the committee, as section 284 of the Constitution does not require that proposed amendments be referred to a standing committee, and hence this committee has no authority to act on same.

D. M. White, Chairman.

Whereupon, said bill:

H. 936. To propose an amendment to the constitution of the State of Alabama, for the purpose of providing for the formation and establishing of new counties out of portions of one, two or more counties as may be desired.

Was read a second time and placed on the calendar for a third reading on tomorrow.

MOTION TO TAKE FROM ADVERSE REPORT.

In pursuance of the notice heretofore given, Mr. Leith moved to take:

H. 1201. To regulate and prescribe the manner of electing county commissioners in the county of Walker, fix their compensation and provide for holding regular, special and adjourned terms of the court of county commissioners.

From an adverse report, which motion prevailed; and said bill was read a second time and placed on the calendar for a third reading on tomorrow.

Mr. Leith also moved to take:

H. 875. For the relief of J. W. Swindle, Jas. Morris, W. R. Blackwell, R. J. Green, J. R. P. Manasco, J. H. Weems, John Oscar, W. C. Atkins, U. R. Self, Jacob Strickland, John S. Jenkins, F. M. Hyche, J. W. McDaniel and R. T. Knight, ex-confererates.

From an adverse report.

Which motion, was, upon motion Mr. Bayles, laid on the table.

Yeas, 23; nays, 5.

Yeas:

Messrs:

Barbour	Gunl	King	Overton
Bayles	Hamner	Lowe	Reynolds
Blackmon	Heacock	Merritt	Spragins
Davis	Hinson	Miller	Teasley
Doster	Horton	Moody	Thomas
Glenn	Jones	McWhorter	

—23.

Nays:

Messrs:

Forrester	Leith	Lusk	White
Wilson			

—5..

RESOLUTION.

Mr. Teasley offered the following resolution:

Resolved by the Senate that House bill No. 555:

To provide for the maintenance of the "State Normal School" for colored students and the complete equipment of its class rooms and work shops and to build and furnish additional buildings therefor.

Be made a special order for the next legislative day at 12 o'clock.

Which was read and referred to the committee on Rules.

BILLS ON THIRD READING.

The bill:

H. 1107. To appropriate twenty-five hundred dollars (\$2,500.00) for the incidental and contingent expenses to be disbursed on the order of the governor.

Was read a third time, at length, and passed.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Barbour	Heacock	Lusk	Reynolds
Blackmon	Hinson	Merritt	Spragins
Forrester	Horton	Miller	Strother
Gardner	Jones	McWhorter	Teasley
Glenn	King	Overton	Thomas
Gunn	Leith	Reese	Wilson
Hamner	Lowe	Reid	Wimberly
Hayes			

—29.

The bill:

H. 1075. To amend section 809 of the Code of 1896.

Was taken up:

The following amendment offered by the committee,
to-wit:

Substitute for House bill 1075:

A BILL

To be entitled an act to amend section 809 of the Code
of 1896.

Section 1. Be it enacted by the Legislature of Alabama, That section 809 of the Code of 1896 be and the same is hereby amended so as to read as follows:

809. *Persons in possession of and claiming lands may file bill to clear title.*—When any person is in peaceable possession of lands, whether actual or constructive, claiming to own the same, in his own right or as personal representative or guardian and his title thereto, or to any part thereof, is denied or disputed, or any other person claims or is reputed to own the same, or any part thereof, or any interest therein, or to hold any lien or incumbrance thereon, and no suit is pending to enforce or test the validity of such title, claim or incumbrance, such person or his personal representative or guardian so in possession may bring and maintain a suit in equity to settle the title to such lands, and to clear up all doubts or disputes concerning the same.

Was adopted.

Yeas, 27; nays, 1.

Yeas :

Messrs :

Barbour	Hamner	Lowe	Reynolds
Bayles	Hayes	Lusk	Spragins
Blackmon	Heacock	Merritt	Thomas
Doster	Hinson	Miller	White
Forrester	Jones	McWhorter	Wilson
Glenn	King	Reese	Wimberly
Gunn	Leith	Reid	

—27.

Nays: Mr. Strother—1.

And the bill, as thus amended, was read a third time, at length, and passed.

Yeas, 27; nays, 1.

Messrs :

Yeas :

Barbour	Hamner	Lowe	Reynolds
Bayles	Hayes	Lusk	Spragins
Blackmon	Heacock	Merritt	Thomas
Doster	Hinson	Miller	White
Forrester	Jones	McWhorter	Wilson
Glenn	King	Reese	Wimberly
Gunn	Leith	Reid	

—27.

Nays: Mr. Strother—1.

The bill:

S. 551. To submit to the qualified electors of the State at the general election to be held on the first Tuesday after the first Monday in November, 1908, for their consideration an amendment to section 93 of Article IV, of the Constitution so as to provide that the State may under appropriate laws cause the net proceeds from the State convict funds to be applied to the construction, repair and maintenance of public roads for the State and the Legislature may also make additional appropriations for that purpose.

Was taken up.

The following amendment offered by the committee, to-wit:

"Amend by striking out the figures '1908' and inserting therefor '1910' everywhere same appears in the bill."

Was withdrawn.

Mr. Bayles offered the following amendment:

Amend the title of the bill by striking out the words "and the Legislature may also make additional appropriations for that purpose."

Which, on motion of Mr. Overton, was laid on the table.

Yeas, 24; nays, 8.

Yeas:

Messrs:

Barbour	Hamner	Leith	Strother
Blackmon	Hayes	Lusk	Teasley
Davis	Heacock	McWhorter	Thomas
Doster	Horton	Overton	White
Forrester	Jones	Reese	Wilson
Gardner	King	Reid	Wimberly
Gunn			

—24.

Nays:

Messrs:

Bayles	Lowe	Miller	Reynolds
Glenn	Merritt	Moody	Spragins

—8.

And the bill was read a third time, at length, and passed.

Yeas, 25; nays, 7.

Yeas:

Messrs:

Barbour	Hamner	Leith	Strother
Blackmon	Hayes	Merritt	Teasley
Davis	Heacock	McWhorter	Thomas
Doster	Horton	Overton	White
Forrester	Jones	Reid	Wilson
Gardner	King	Reynolds	Wimberly.
Gunn			

—25.

Nays:

Messrs:

Bayles
GlennLowe
LuskMiller
Moody

Spragins

—7.

The bill:

S. 637. For the payment of the expenses of the Legislature and ~~executive and~~ judicial officers of the State in attending the funeral of the late Senator Pettus.

Was read a third time, at length, and passed and ordered sent to the House.

Yeas, 30; nays, 0.

Yeas:

Messrs:

Barbour
Bayles
Blackmon
Davis
Forrester
Gardner
Glenn
GunnHamner
Heacock
Hinson
Horton
Jones
King
Leith
LoweLusk
Merritt
Miller
Moody
Overton
Reese
ReidReynolds
Spragins
Strother
Teasley
Thomas
Wilson
Wimberly

—30.

The bill:

H. 906. To appropriate a sum of money to pay for the stationery and stationery supplies used by the Legislature of Alabama during the present session.

Was read a third time, at length, and passed.

Yeas, 30; nays, 0.

Yeas:

Messrs:

Barbour
Bayles
Blackmon
Davis
Forrester
Gardner
Glenn
GunnHayes
Heacock
Hinson
Horton
Jones
King
Leith
LoweLusk
Merritt
Miller
Moody
Overton
Reese
ReidReynolds
Spragins
Strother
Teasley
Thomas
Wilson
Wimberly

—30.

The bill :

S.. 390. To provide for the management, control, preservation and disposition of the property of foreign corporations within the State, where said corporations forfeit their right to do business in the State by violation of the laws of Alabama or failing to comply therewith.

Was taken up.

Mr. Blackmon offered the following amendment:

"Amend by striking out sections 1, 2 and 3."

Mr. Spragins moved to indefinitely postpone the bill with pending amendmnets.

Pending the consideration of which,

REPORT FROM COMMITTEE ON ENGROSSED BILLS.

Mr. Spragins, from the committee on Engrossed Bills, made the following report, which was adopted:

Mr. President:

Your committee on Engrossed Bills begs leave to report that it has examined and found correctly engrossed the following bill:

S. 551. To submit to the qualified electors of the State at the general election to be held on the first Tuesday after the first Monday in November 1908 for their consideration an amendment to section 93 of article IV of the Constitution so as to provide that the State may under appropriate laws cause the net proceeds from the State convict fund to be applied to the construction, repair and maintenance of public roads for the State and the Legislature may also make additional appropriations for that purpose.

Robt. E. Spragins,
Chairman.

RECESS.

The hour of 1 o'clock p. m. having arrived, the Senate recessed until 3 o'clock p. m.

AFTERNOON SESSION.

Friday, August 2, 1907.

The Senate re-assembled at 3 o'clock p. m.

ROLL CALL.

Upon the call of the roll, a quorum of the Senate was present.

RESOLUTIONS.

Mr. Reese offered the following Senate joint resolution, to-wit:

S. J. R. 132. Whereas, the new Code as adopted by the Legislature of Alabama provides, that the open season on doves shall begin August the first in each year and closes March the first the year following:

Therefore, be it resolved by the Senate, the House concurring, that the law prohibiting the shooting of doves until November be and the same is hereby suspended until the first day of November, 1907; provided that all persons hunting or shooting doves shall have issued to them a hunter's license as now provided by law.

Which resolution was adopted.

Mr. Reese also offered the following resolution, to-wit:
Resolved by the Senate, that

H. 936. To propose an amendment to the constitution of the State of Alabama, for the purpose of providing for the formation and establishing of new counties out of portions of one, two or more counties as may be desired.

Be made a paramount, continuing and superceding special order for Tuesday, August 6, 1907, at 11:30 o'clock a. m.

Which resolution was read and referred to the committee on Rules.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has received the accompanying message from his excellency, the governor, proposing an amendment to the bill, H. 1154, an act entitled an act to amend section 9 of an act entitled, an act to further amend the revenue laws of the State of Alabama, approved March 7th, 1907.

And the House has concurred in and adopted the amendment proposed by the governor to said bill by a majority vote of the whole House. The vote on said amendment being: Yeas, 56; nays, 0.

And the House herewith sends said bill together with the governor's message to the Senate for its consideration.

Cyrus B. Brown,
Clerk.

MESSAGE FROM THE GOVERNOR.

To the House of Representatives:

I herewith return H. B. 1154 entitled an act to further amend the revenue laws of the State of Alabama, approved March 7, 1907; and I suggest the following amendment thereto, viz.:

1. Amend said bill by inserting therein immediately after the words: "regularly organized", where said words occur together in said bill, the following words, viz.: "as such".

August 1, 1907.

B. B. Comer,
Governor.

HOUSE AND GOVERNOR'S MESSAGE.

On motion of Mr. Lusk, the above messages were for the present allowed to remain on the secretary's desk.

MESSAGE FROM THE GOVERNOR.

Montgomery, Aug. 2, 1907.

To the Senate:

I hereby request the return of House bill 1154, entitled an act to further amend the revenue laws of the State, approved March 7, 1907, together with the executive message attached thereto dated August 1, 1907.

B. B. Comer,
Governor.

GOVERNOR'S MESSAGE.

On motion of Mr. Lusk, and in compliance with the request of his excellency, the Senate returned to the governor House bill No. 1154, the title to which is set out in the foregoing message from the governor, in compliance with the constitution in such cases made and provided.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bills and ordered same sent forthwith to the Senate without engrossment:

H. 903. To ratify, legalize and confirm all sales and conveyances heretofore made by electric light and power companies, water companies and street railway companies of all of their property and franchises to any corporation authorized by its charter, certificate of incorporation, or declaration of incorporation, to acquire, own or operate such properties and franchises, where said sales and conveyances have been made pursuant to and with the consent of all stockholders of such selling corporation or corporations; and requiring the purchasing corporation to fulfill all of the obligations, contracts and duties of the said selling corporation or corporations.

H. 1397. To amend "an act to make appropriations for the ordinary expenses for the executive, legislative, and judicial departments of the State, for the interest on the public debt and for public schools."

H. 801. To amend an act to amend section 4451 of Code of 1896, approved March 5, 1901. Relates to appointment of State chaplains.

H. 576. To provide for the incorporation of mutual aid, benefit and industrial companies or associations.

H. 1224. To fix the time for the holding of the examinations for teachers in the public schools of the State of Alabama.

H. 1324. To amend section 2904 of the Code of Alabama as now amended.

H. 851. Regulating or fixing weights under which flour, corn meal, and grits shall be packed in Alabama, to protect purchasers and dealers from fraudulent short weights, and to prohibit fraudulent packing and sale of flour, corn meal and grits, To provide for variations or inaccuracies in weights and fix a penalty for violation of this act.

H. 1246. To amend sections 4106 and 4107 of the Code.

H. 638. To prohibit the issuance and acceptance of free transportation upon the street railroads within this State, and to provide for the punishment thereof.

H. 856. To fix the compensation of the assistant clerk in the office of the commissioner of agriculture and industries and make appropriations therefor.

H. 928. To prohibit the sale of hop-jack, hop-tea, hop-weiss, hop-ale, malt tonic, or other beverages, the product of maltose or glucose, at any place where the sale of spirituous, vinous or malt liquors are prohibited by law.

H. 368. To provide for the examination of applicants for second grade teachers certificate on their knowledge of the school laws of the State and to provide for the publication and distribution of the new school laws among the trustees and public school teachers of the State.

H. 937. To amend section 5 of an act entitled an act "To establish a home for indigent confederate veterans residing in the State of Alabama who are unable to make a livelihood on account of physical disability or

old age, and make appropriations for improving and maintaining the same," approved Oct. 6th, 1903.

H. 1338. To amend section 932 of the Code of 1896.

H. 1287. To legalize the registration of, and to make self proving, deeds of conveyance, which have been recorded in the office of the judge of probate of the proper county before the passage of this act, but not within the time heretofore required by law.

And sends same herewith to the Senate.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

The House bills in the foregoing House message were severally read once and referred to appropriate standing committees as follows:

H. 903, 1324, 851, 1246, 1338, 1287, to Judiciary.

H. 1397, 801, 937, to Finance and Taxation.

H. 576, to Banking and Insurance.

H. 1224, 368, to Education.

H. 638, to Commerce and Common Carriers.

H. 856, to Agriculture.

H. 928, to Temperance.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in the Senate amendment to the bill, H. 1075, To amend section 809 of the Code of 1896.

Cyrus B. Brown,
Clerk.

REPORT FROM THE COMMITTEE ON ENGROSSED BILLS.

Mr. Spragins, from the committee on Engrossed Bills, made the following report, which was adopted:

Mr. President:

The committee on Engrossed Bills report that they have examined the following Senate bill, 546, and com-

pared it with the original bill and find same to be correctly engrossed.

Robt. E. Spragins,
Chairman.

MESSAGE FROM THE HOUSE.

Mr. President:

The House accedes to the request of the Senate for a committee of conference on the disagreement of the two Houses, on the House amendment to the bill:

S. 496. To amend section 12 of an act to establish, maintain, regulate and make efficient a dispensary for Madison county, located in the city of Huntsville, approved February, 1907, and to add section 13 1-2 thereto.

Committee on part of House, Messrs. Rowe and McMillan.

Cyrus B. Brown,
Clerk..

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in S. J. R. 130 relative to return of S. B. 241 to the Senate by the governor.

Cyrus B. Brown,
Clerk..

REPORT FROM THE COMMITTEE ON ENROLLED BILLS.

Mr. Moody, from the committee on Enrolled Bills, made the following report, which was adopted, to-wit:
Mr. President:

The Committee on Enrolled Bills report that they have examined the following Senate bills:

S. 608. To provide that no license or taxes of any character shall be required by the State, county or municipality from the Alabama Agricultural Association or from those who conduct business under contract with it on its grounds during the time its annual fair is actually in progress.

S. 524. To prohibit the sale, barter or exchange of spirituous, vinous or malt liquors or intoxicating beverages or drinks within five miles of the Presbyterian and Baptist churches at Pleasant Hill, Dallas county, Alabama, and to provide for the punishment of the violation of said act by the circuit courts of Dallas or Lowndes counties.

S. 488. To increase the salary of the solicitor of the county of Etowah, as now fixed by law, and to fix the same, and to provide for its payment.

S. 488. To repeal an act entitled an act "To define who are delinquent children and to provide for their arrest and care and reformation, approved March 12, 1907," in so far as it applies to Dallas county.

S. 581. To require the tax assessor of Mobile county to make a lot book for the years 1906, 1907 and each year thereafter, showing in abstract form all legal subdivisions which have been or which may hereafter be made of all property in Mobile county, and the name of the person, firm or corporation to whom each lot or subdivision is assessed for the said years; and to provide compensation therefor.

S. 571. For the relief of John S. Bonner, a disabled and ex-confederate soldier of Pieckens county, Alabama.

S. 506. To increase the fees for ex-officio services of the clerk of the city court of Gadsden, the judge of probate and sheriff of Etowah county, and to provide for the payment of the same.

And find same to be correctly enrolled.

Frank S. Moody,
Chairman.

SIGNING OF BILLS..

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read by the secretary, signed the above Senate bills, the titles of which are set out in the foregoing report from the committee on Enrolled Bills, the reading at length of said bills having been dispensed with, by a two-thirds vote of a quorum of the Senate present.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker of the House having signed the following House bills your signature thereto is requested:

H. 1293. To allow the selling, or otherwise lawfully disposing of lager beer by the proprietor, or manager, of the Park hotel to be erected at Montrose in Baldwin county.

H. 868. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, or other intoxicating drinks, or beverages, within five miles of the Corona Methodist church in Corona in Walker county, Alabama.

H. 854. To prohibit the sale, barter or exchange, giving away, lending, delivering or otherwise disposing of any spirituous, vinous, or malt liquors, intoxicating beverages, bitters, beers, "hop-jack," or intoxicating proprietary medicines of any kind, except upon the written prescription of a practicing physician, within one and a half miles of "Bethel" Methodist Episcopal Church South, situated at Dolcito, in precinct (11) eleven, Jefferson county, Alabama.

H. 1196. To amend section thirteen of an act to establish, maintain and regulate a dispensary in the town of Marion, Perry county, Alabama, for the sale of spirituous or vinous, malt liquors, wines, ciders or other intoxicating liquors and to establish a board of directors for the purpose of better controlling and managing the sale of spirituous or vinous liquors, malt liquors, wines, ciders or other inotxicating liquors or for other purposes, approved February 28, 1901.

H. 1179. To provide for the celebration of the one-hundredth anniversary of the battle of Tohopeka or Horseshoe Bend, in 1814.

H. 1232. To make further provisions for defraying the expenses of the Legislature.

H.. 924. To divide the county of Hale into four commissioners' districts and to provide for the election of a commissioner for each district.

H. 390. To create "The Alabama Monument Commission."

H. 923. To provide that all confederate soldiers, sailors and their widows, who are now drawing a pension and who are over the age of eighty years, shall be entitled to and receive a pension of the first class.

H. 1104. For the relief of Mary Marler, Mary J. Simpler, widows of confederate soldiers, and A. Campbell, a confederate soldier, being residents of Crenshaw county, Alabama.

H. 575. For the relief of John S. Stephenson.

H. 938. To alter or re-arrange the boundary lines of the city of Bessemer, Jefferson county, Alabama

H. 682. For the relief of the school trustees of township four (4), range eight (8), west, of Lawrence county, Alabama.

H. 185. For the relief of Major David M. Scott, of the Alabama National Guard.

H. 1186. To provide for the publication of State papers, official records and historical materials of the State of Alabama

H. 562. To regulate the practice of pharmacy and the sale of poisons in the cities and towns of more than nine hundred inhabitants in the State of Alabama, and fixing the penalty for violations thereof, and to repeal chapter 89 of the civil Code of Alabama, 1896, and section 5335 of the criminal Code of Alabama, 1896, and all other laws in conflict with the provisions of this act.

H. 1273. To provide for the transfer of all cases charging the commission of a misdemeanor presented by indictment by the grand jury of the circuit court of Morgan county, Ala., and to provide for the trial and proceedings in said causes.

H. 1081. To authorize and empower the commissioners' court of Tallapoosa county to fix and regulate the tolls to be charged by the owners of the bridge across the Tallapoosa river at Tallassee, Alabama, for the use of said bridge by passengers and for vehicles, and for traffic, and for whatsoever may pass over the same, and to

provide for the enforcement of such rates of toll, and to prescribe penalties for collecting, demanding or receiving tolls in excess of said rates fixed by the said court of county commissioners.

Cyrus B. Brown,
Clerk.

SIGNING OF BILLS..

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read at length by the secretary, signed the above House bills, the titles of which are set out in the foregoing message from the House, the reading at length of said bills having been dispensed with, by a two-thirds vote of a quorum of the Senate present.

BILLS ON THIRD READING.

The bill:

H. 1379. To repeal an act to regulate the salaries of teachers in public schools outside of any incorporated towns in Walker county, Alabama, approved March 5th, 1901.

Was read a third time, at length, and passed.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Glenn	Leith	Spragins
Bayles	Gunn	Lowe	Strother
Blackmon	Hamner	Lusk	Teasley
Davis	Hayes	Merritt	Thomas
Doster	Heacock	Reese	White
Forrester	Jones	Reynolds	Wimberly
Gardner	King		

—26.

The bill:

H. 1372. To fix the time when the tax collector and tax assessor of Walker county shall begin the round and to visit the several precincts of said county for the purpose of assessing and collecting taxes.

Was read a third time, at length, and passed.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Glenn	Leith	Spragins
Bayles	Gunn	Lusk	Strother
Blackmon	Hamner	Merritt	Teasley
Davis	Hayes	Miller	Thomas
Doster	Heacock	Overton	White
Forrester	Jones	Reynolds	Wimberly
Gardner	King		

—26.

The bill:

H. 970. To prohibit the sale, giving away, or otherwise disposing of beer, whiskey, or other intoxicating drinks or beverages, within one mile of the Barkersville Baptist church, at Pritchard, in Mobile county, Alabama, and to provide a penalty for violations of this act.

Was read a third time, at length, and passed.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Barbour	Glenn	Leith	Spragins
Bayles	Gunn	Lowe	Strother
Blackmon	Hamner	Lusk	Teasley
Davis	Hayes	Merritt	White
Doster	Heacock	Moody	Wilson
Forrester	Jones	Overton	Wimberly
Gardner	King	Reynolds	

—27.

The bill:

H. 1347. To allow the circuit clerk of Lamar county an assistant clerk.

Was read a third time, at length, and passed

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Doster	Gunn	Jones
Bayles	Forrester	Hamner	King
Blackmon	Gardner	Hayes	Leith
Davis	Glenn	Heacock	Lowe

Lusk	Moody	Strother	Wilson
Merritt	Reynolds	Thomas	Wimberly
Miller	Spragins		

—26.

The bill:

H. 1345. To amend sections 5 and 7 of an act entitled "An act to provide and establish a stock law for Lamar and Fayette counties," so far as the same relates to Brown's precinct, No. 4, in Lamar county.

Was read a third time, at length, and passed.

Yeas, 27; nays, 1.

Yeas:

Messrs:

Barbour	Glenn	Leith	Strother
Bayles	Gunn	Merritt	Teasley
Blackmon	Hamner	Miller	Thomas
Davis	Hayes	Moody	White
Doster	Heacock	Reese	Wilson
Forrester	Jones	Reynolds	Wimberly
Gardner	King	Spragins	

—27.

Nays: Mr. Lusk—1.

The bill:

H. 515. To abolish the county court of Morgan county, Alabama, and to annual its jurisdiction, which court is provided for in and by article 3, chapter 142, of the Code of Alabama, and to provide for the transfer of all the causes of every kind and description pending in said court at the time of the approval of this act, together with all papers, records, processes and everything pertaining to such causes, pending in said court, by the clerk thereof, to the Morgan county law and equity court.

Was read a third time, at length, and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Barbour	Davis	Gardner	Hamner
Bayles	Doster	Gleun	Hayes
Blackmon	Forrester	Gunn	Heacock

Jones	Moody	Spragins	Thomas
King	Overton	Strother	Wilson
Leith	Reynolds	Teasley	Wimberly
Lowe			

—25.

The bill:

H. 1252. To fix the time of holding the circuit court in the county of Lawrence in the Eighth judicial circuit of Alabama.

Was read a third time, at length, and passed.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Glenn	Leith	Reynolds
Bayles	Gunn	Lowe	Spragins
Blackmon	Hamner	Merritt	Strother
Davis	Hayes	Moody	Thomas
Doster	Hinson	McWhorter	Wilson
Forrester	Horton	Reese	Wimberly
Gardner	Jones		

—26.

The bill:

H. 235. To regulate hunting upon, or shooting in or across the enclosed field, pasture or other enclosure owned by or in possession of another, in Walker county, Alabama.

Was read a third time, at length, and passed.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Glenn	King	Spragins
Bayles	Gunn	Leith	Strother
Blackmon	Hamner	Lowe	Teasley
Davis	Hayes	Merritt	Thomas
Doster	Heacock	Overton	Wilson
Forrester	Horton	Reynolds	Wimberly
Gardner	Jones		

—26.

The bill,

H. 930. To regulate the administration of the affairs of any municipal corporation which has been absorbed,

or its government extinguished by the alteration or re-arrangement of the boundary lines of another city or town.

Was read a third time, at length, and passed.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Glenn	King	McWhorter
Bayles	Gunn	Leith	Overton
Blackmon	Hamner	Lowe	Reynolds
Davis	Hayes	Lusk	Spragins
Doster	Heacock	Miller	Strother
Forrester	Horton	Moody	Wimberly
Gardner	Jones		

—26.

The bill:

S. 634. To provide for an auditing of the dispensaries of Bibb county, Alabama, and to further regulate said dispensaries.

Was read a third time, at length, and passed and ordered sent to the House forthwith without engrossment.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Glenn	Leith	Reynolds
Bayles	Gunn	Lowe	Spragins
Blackmon	Hamner	Lusk	Strother
Davis	Hayes	Merritt	Teasley
Doster	Heacock	McWhorter	Thomas
Forrester	Jones	Reese	Wimberly
Gardner	King		

—26.

The bill:

H. 1382. To amend an act entitled "An act to provide for an election by the qualified electors of Tuscaloosa county to determine whether the sale, barter, exchange, giving away or otherwise disposing of vinous, spirituous, or malt liquors, intoxicating beverages, biters and proprietary medicines shall be wholly prohibited in said county, and if a majority of said electors shall vote in favor of prohibition to prohibit the sale,

barter, exchange, giving away, lending, delivering or otherwise disposing of spirituous, vinous, or malt liquors, intoxicating beverages, bitters and proprietary medicines, and to prohibit the shipping into said county by any common carriers and the bringing into said county by any persons for the use of any other person than himself any such spirituous, vinous or malt liquors, intoxicating beverages, bitters or proprietary medicines from any place within this State, and to prohibit the taking or soliciting of orders for spirituous, vinous or malt liquors, intoxicating beverages, bitters or proprietary medicines in said county, and to prohibit the giving of orders for spirituous, vinous or malt liquors, intoxicating beverages, bitters or proprietary medicines by any person in said county over any telegraph or telephone line, and to provide penalties for all such prohibited acts.

Was read a third time, at length, and passed.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Glenn	Leith	Reynolds
Bayles	Gunn	Lowe	Spragins
Blackmon	Hamner	Merritt	Strother
Davis	Hayes	Miller	Thomas
Doster	Heacock	Moody	Wilson
Forrester	Horton	Overton	Wimberly
Gardner	Jones		

—26.

The bill:

H. 931. To regulate cities that alter or re-arrange their boundary lines so as to absorb one or more cities or towns, or extinguish the government of one or more cities or towns.

Was read a third time, at length, and passed.

Yeas, 24; nays, 1.

Yeas:

Messrs:

Barbour	Doster	Gunn	Heacock
Bayles	Forrester	Hamner	Jones
Davis	Glenn	Hayes	King

Leith	Moody	Reynolds	Teasley
Lusk	McWhorter	Spragins	Thomas
Merritt	Overton	Strother	Wimberly

—24.

Nays: Mr. Blackmon—1.

The bill:

H. 812. To amend section eight (8) of an act entitled an act to amend, reconstruct, and provide for the enforcement of the laws relating to the public health
Was read a third time, at length, and passed.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lusk	Reynolds
Bayles	Heacock	Miller	Spragins
Blackmon	Horton	Moody	Strother
Davis	Jones	McWhorter	Teasley
Forrester	King	Overton	White
Gardner	Leith	Reese	Wimberly
Glenn	Lowe		

—26.

The bill,

S. 623. To empower the superintendent of education to give certificates of proficiency and of license to teach.
Was read a third time, at length, and passed, and ordered same sent forthwith to the House without engrossment.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lowe	Reynolds
Bayles	Hayes	Merritt	Spragins
Blackmon	Heacock	Miller	Strother
Davis	Jones	Moody	Thomas
Forrester	King	McWhorter	Wilson
Glenn	Leith	Reese	Wimberly
Gunn			

—25

The bill,
H. 1369. For the relief of A. J. Brooks, of Jefferson
county, Alabama.

Was read a third time, at length, and passed.

Yeas, 19; nays, 0.

Yeas:

Messrs:

Barbour	Jones	Overton	Teasley
Bayles	King	Reid	Thomas
Davis	Lusk	Reynolds	White
Glenn	Miller	Spragins	Wilson
Hamner	Moody	Strother	

—19.

The bill,
H. 952. To alter and re-arrange the boundary lines
and corporate limits of the town of Elyton, Jefferson
county, Alabama.

Was read a third time, at length, and passed.

Yeas, 19; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Moody	Teasley
Bayles	Jones	Overton	Thomas
Davis	King	Reynolds	White
Gardner	Lusk	Spragins	Wilson
Glenn	Miller	Strother	

—19.

The bill:

H. 1390. To provide for the appointment of an official stenographer for the Second judicial circuit of Alabama, and to prescribe his duties and to fix his compensation.

Was read a third time, at length, and passed.

Yeas, 19; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Leith	Teasley
Bayles	Heacock	Lusk	Thomas
Davis	Horton	Miller	White
Forrester	Jones	Spragins	Wilson
Glenn	King	Strother	

—19.

The bill:

H. 1085. To amend an act to establish a State live stock sanitary board and the office of State veterinarian in order to further protect live stock from contagious and infectious diseases and provide for eradicating and excluding such diseases from Alabama, approved March 12th, 1907.

Was read a third time, at length, and passed.

Yeas, 20; nays, 1.

Yeas:

Messrs:

Barbour	Hamner	Merritt	Teasley
Bayles	Hayes	Moody	Thomas
Davis	Heacock	Overton	White
Forrester	Jones	Spragins	Wilson
Glenn	King	Strother	Wimberly

—20.

Nays: Mr. Lusk—1.

The bill:

H. 1341. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, intoxicating bitters, cordials, or other intoxicating drinks or beverages within four miles of Pleasant Home Missionary Baptist church, Siloam Missionary Baptist church or Ivey Creek public school house, all in Crenshaw county, Alabama, to provide the time when it shall be in force and to fix the punishment for the violation thereof.

Was read a third time, at length, and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Lusk	Spragins
Bayles	Horton	Miller	Strother
Davis	Jones	Moody	Thomas
Forrester	King	Overton	White
Gardner	Leith	Reid	Wilson
Glenn	Lowe	Reynolds	Wimberly
Hamner			

—25.

The bill:

H. 1377. To provide for the construction, repairing, working and maintaining of the public roads of Henry county, Alabama, and to provide for the levying a special property and per capita tax for same, and for the punishment of defaulters.

Was read a third time, at length, and passed

Yeas, 24; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lowe	Spragins
Bayles	Hayes	Lusk	Strother
Davis	Horton	Merritt	Thomas
Forrester	Jones	Miller	White
Gardner	King	Moody	Wilson
Glenn	Leith	Overton	Wimberly

—24.

The bill,

H. 1234. To authorize and direct the board of county commissioners of Crenshaw county to pay for advertising the notice and substance of local bills introduced in the Legislature for said county out of any money in the treasury not otherwise appropriated when the bill applies to the entire county, and ordered published by the representative of said county, and this act shall apply to and include the notice and substance of bills advertised at, and during the present session of the Legislature.

Was read a third time, at length, and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Barbour	Gardner	Leith	Spragins
Bayles	Glenn	Lowe	Strother
Blackmon	Hamner	Lusk	Thomas
Davis	Heacock	Merritt	White
Doster	Jones	Miller	Wilson
Forrester	King	Reynolds	Wimberly

—24.

The bill,

H. 1209. To give to certified transcripts of validly executed instruments not properly acknowledged or proved, but that have been of record for twenty years, the same force and effect as transcripts of like instruments duly acknowledged and recorded.

Was read a third time, at length, and passed.

Yeas, 24; nays, 1.

Yeas:

Messrs:

Barbour	Gardner	Leith	Reynolds
Bayles	Glenn	Lowe	Spragins
Blackmon	Hamner	Lusk	Thomas
Davis	Heacock	Merritt	White
Doster	Jones	Miller	Wilson
Forrester	King	Moody	Wimberly

—24.

Nay: Mr. Strother—1.

The bill,

S. 635. To amend sections 426, 427, 431, 434 and 456 of the code of 1896.

Was read a third time, at length, and passed, and ordered sent to the House forthwith without engrossment.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Barbour	Glenn	Lowe	Spragins
Bayles	Hamner	Lusk	Strother
Blackmon	Hayes	Miller	Thomas
Davis	Jones	Moody	White
Doster	King	Overton	Wilson
Forrester	Leith	Reynolds	Wimberly
Gardner			

—25.

The bill,

H. 565. To confer upon foreign municipal corporations of adjoining States the power and authority to acquire, own, take and dispose of property in the State of Alabama for the purpose of procuring water in this State for a municipal water supply; and also to confer upon such municipalities the power to contract to furnish a supply of water to any town, city or municipality of this State.

Was read a third time, at length, and passed.

Yeas, 23; nays, 1.

Yeas:

Messrs:

Barbour	Gunn	Lowe	Reynolds
Davis	Hamner	Lusk	Thomas
Doster	Hayes	Moody	White
Forrester	Jones	McWhorter	Wilson
Gardner	King	Overton	Wimberly
Glenn	Leith	Reese	

—23.

Nay: Mr. Miller—1.

The bill,

H. 1376. To prohibit the sale, barter or exchange of spirituous, vinous or malt liquors, or other intoxicating drinks, in Henry county, and to provide punishment of violators of said act.

Was read a third time, at length, and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lusk	Strother
Bayles	Hayes	Miller	Thomas
Davis	Jones	Moody	White
Doster	King	Overton	Wilson
Forrester	Leith	Reynolds	Wimberly.
Glenn	Lowe	Spragins	

—23.

The bill,

H. 1012. For the relief of Mary A. Galaway, widow of an ex-confederate soldier, being a resident of Shelby county, Alabama.

Was read a third time, at length, and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Barbour	Gardner	Lusk	Teasley
Bayles	Glenn	Miller	Thomas
Blackmon	Hamner	Moody	White
Davis	Heacock	Reynolds	Wilson
Doster	Horton	Spragins	Wimberly
Forrester	King	Strother	

—23.

The bill,

H. 273. To fix the ex-officio fees of the clerks of the circuit court in the several counties of the State of Alabama, and to provide for the payment of same.

Was taken up.

The following amendment offered by the committee, to-wit:

Amend by adding at the end of section 3 of said bill the following: "Such statement must contain a detailed report of all services rendered, showing the charge made for each item and if the court of county commissioners or other court of like jurisdiction find such statement correct and the charges made reasonable, they shall draw a warrant for same. Should the charges seem unreasonable they shall deduct such amount as they may deem just and proper.

Was adopted.

Yeas, 18; nays, 5.

Yeas:

Messrs:

Barbour	Glenn	King	Reynolds
Blackmon	Hamner	Lowe	Teasley
Davis	Hayes	Moody	Thomas
Doster	Heacock	Overton	White
Forrester	Jones		

—18.

Nays:
 Messrs:
 Bayles Spragins Strother Wilson
 Lusk

—5.

And the bill as thus amended, was read a third time,
 at length, and passed.

Yeas, 18; nays, 5.

Yeas:

Messrs:
 Blackmon Hamner Overton Thomas
 Davis Hayes Reynolds White
 Doster Heacock Strother Wilson
 Glenn King Teasley Wimberly
 Gunn Moody

—18.

Nays:
 Messrs:
 Bayles Lusk Miller Spragins
 Gardner

—5.

The bill,

H. 1303. To amend sub-division of section 1377 of
 the civil code, relating to compensation of sheriffs for
 ex-officio services.

Was taken up.

The following amendment offered by the committee,
 to-wit:

Amend section one of said bill by striking out the
 words "seven hundred and fifty dollars" where same oc-
 cur in said section and inserting in lieu thereof the
 words "five hundred dollars."

Further amend section one of said bill as amended,
 by striking out the words "ten thousand dollars" where
 same occur in said section as amended, and inserting in
 lieu thereof the words "seven thousand five hundred dol-
 lars 'net'."

Mr. Teasley offered the following amendment to the
 amendment offered by the committee, to-wit:

Amend the amendment by adding after the word net, the following: After all expenses have been paid by him.

Which was adopted.

Yeas, 19; nays, 5.

Yeas:

Messrs:

Barbour	Hamner	Moody	Strother
Blackmon	Hayes	Overton	Teasley
Doster	Heacock	Reese	Thomas
Gardner	Jones	Reynolds	White
Glenn	Leith	Spragins	

—19.

Nays:

Messrs:

Barbour	Lusk	Miller	Wilson
Gunn			

—5.

And the amendment offered by the committee as thus amended was adopted.

Yeas, 22, nays, 2.

Yeas:

Messrs:

Bayles	Glenn	Lusk	Spragins
Blackmon	Gunn	Merritt	Strother
Davis	Hamner	Moody	Thomas
Doster	Hayes	Reese	White
Forrester	Jones	Reynolds	Wimberly
Gardner	King		

—22.

Nays: Messrs. Barbour, Wilson—2.

And the bill as thus amended, was read a third time, at length, and passed.

Yeas, 21; nays, 5.

Yeas:

Messrs:

Barbour	Davis	Gardner	Hayes
Bayles	Doster	Glenn	Heacock
Blackmon	Forrester	Gunn	Merritt

Moody	Reynolds	Teasley	White
Overton	Strother	Thomas	Wimberly
Reese			—21.

Nays:

Messrs:

King	Miller	Spragins	Wilson
Lusk			

—5.

The bill,

H. 421. Providing for the survey and analysis and classification of soils of the State.

Was taken up.

The following amendment offered by the committee, to-wit:

A BILL

To be entitled an act providing for the survey and analysis and classification of soils of the State.

Section 1. Be it enacted by the Legislature of Alabama, That the commissioner of agriculture and industries be and is hereby authorized to appoint, on approval of the governor, one or more persons, who shall be known as soil surveyors, and whose duties it shall be to investigate, survey, analyze, class soils; and investigate the cause and prevention of diseases in farm products and plants, and the drainage of soils and the investigation of methods of growing, and fermenting of tobacco in the different tobacco sections of the State, and to determine the relative crop values of soils in the areas surveyed. To further make investigations with the view of introducing more remunerative crops, or crops better adapted to the conditions and peculiar characteristics of the soils surveyed, and to give the location and boundaries of the areas surveyed and describe the general topographic features and regional drainage, character and source of population, present conditions as to settlement, chief towns, transportation facilities, markets and water powers and timber resources.

Section 2. That the results of the investigations to be carefully outlined and mapped in reports to the commissioner of agriculture and industries, who in return shall report the same to the governor. The reports shall be printed and maps lithographed in such a manner that the conditions and peculiar fitness of all areas thus examined, surveyed and analyzed, can be furnished to the farmers of the State, and prospective immigrants and home-seekers and to those interested in improving their crops by understanding the classification of their soils.

Section 3. That the duty of the soil surveyor, or surveyors, shall be to attend the State agricultural institutes, and any other agricultural meetings or schools, and lecture on soils, exhibiting maps of areas surveyed, and furnishing such other information as shall be required by the commissioner of agriculture and industries.

Section 4. That when, in the judgment of the governor and commissioner of agriculture and industries, the State's interests shall be best served, then the soil surveyor or surveyors shall be required to work with and co-operate with the soil surveyors from the United States Department of Soils.

Section 5. That the sum of ten thousand dollars, (\$10,000) or such part thereof, as is necessary to carry out the purposes hereinbefore set forth, be and the same is hereby annually appropriated.

Was adopted.

Yeas, 24; nays, 2.

Yeas:

Messrs:

Barbour	Glenn	Jones	Overton
Bayles	Gunn	Leith	Reynolds
Davis	Hamner	Lusk	Thomas
Doster	Hayes	Merritt	White
Forrester	Heacock	Miller	Wilson
Gardner	Horton	McWhorter	Wimberly.

—24.

Nays: Messrs. King, Spragins—2.

And the bill as thus amended, was read a third time, at length, and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Barbour	Glenn	Jones	Miller
Bayles	Gunn	King	Spragins
Blackmon	Hamner	Leith	Strother
Davis	Hayes	Lowe	Teasley
Doster	Heacock	Lusk	Thomas
Forrester	Horton	Merritt	Wimberly.
Gardner			

—25.

The bill,

H. 34. To provide means for the extension of the corporate limits of cities having twenty-five thousand inhabitants or over, and exempting from city taxation property brought within the corporate limits for certain periods of time, and fixing the rights, powers, duties, liabilities, and jurisdiction of the city over the territory brought into the corporate limits, and the rights of the inhabitants thereof, including rights relating to public schools, and to provide for the apportionment between a city and county of the road and bridge tax collected by the county on property within the city, and the expenditure of the fund by the city.

Was taken up.

The following amendment offered by the committee, to-wit:

Strike out that portion of section 3 beginning with the commencement thereof down to sub-division 1 and inserting in lieu thereof, the following:

"Sec. 3. All territory brought within the corporate limits of a city under the provisions hereof, and all property having a situs within such territory, shall be exempt from city taxation or the payment of taxes to the city for the period of not less than ten nor more than fifteen years from the time when such territory is brought within the corporate limits of the city, which period of exemption shall be fixed in the resolution passed by the council or governing body of the city au-

thorized under the provision of section 2 hereof, except as is provided in sub-division (1) and (2) of this section."

Also amend sub-division 2 of section 3 so as to read as follows:

(2). All portions of territory which is at the time it is brought within the corporate limits of the city used or occupied as or as a part of a mining, manufacturing or industrial plant or construction or which is used or occupied as or as a part of a railroad or street railroad or for any other quasi, public use, and continues to be so used, and all property having a situs on such territory (but not including residences, dwelling houses, store-houses, commissaries, ware-houses or the land on which they are situate) shall be exempt from city taxation for a period of ten years; and all portions of such territory which after it is brought within the corporate limits of the city is used or occupied by a new construction as or as a part of a mining, manufacturing, or industrial plant or construction, or which is used or occupied as or as a part of a railroad or a street railroad, or for any other quasi public use, and continues to be so used, and all property having a situs on such territory (but not including residences, dwelling-houses, store-houses, commissaries, ware-houses on the land on which they are situated) shall be exempt from city taxation for the period of ten years from the time of construction; provided, however, that in no event is the exemption to extend beyond fifteen years from the time when such territory is brought within the corporate limits of the city.

Any city or town having extended its corporate limits under the provisoon of this act, or law may again extend its corporate limits hereunder or under any other act or law authorizing an extension of corporate limits by such city or town.

In every proceeding to extend the corporate limits of any city or town under the provisions hereof, the council of such city or town shall declare in each and every resolution, herein provided for and the probate judge shall declare in each and every order directing and or-

dering an election to be held hereunder, and in every notice given hereunder, and in every order made and entered on the records of the probate court hereunder, that such resolution, order or notice, as the case may be, is passed, given or entered under the provisions of this act.

After an election has been held in any territory under ~~the provisions of this or any other act or law, no other or subsequent election shall be ordered or held for the~~ same territory or any part thereof within six months after said election.

Was adopted.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Barbour	Glenn	King	Reese
Bayles	Gunn	Leith	Reynolds
Blackmon	Hamner	Lowe	Spragins
Davis	Hayes	Merritt	Teasley
Doster	Heacock	Miller	White
Forrester	Horton	Moody	Wimberly
Gardner	Jones	Overton	

—27.

And the bill as thus amended, was read a third time, at length, and passed.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Barbour	Glenn	King	Reynolds
Bayles	Gunn	Leith	Spragins
Blackmon	Hamner	Lowe	Strother
Davis	Hayes	Merritt	Thomas
Doster	Heacock	Miller	Wilson
Forrester	Horton	Moody	Wimberly
Gardner	Jones	McWhorter	

—27.

The bill,

H. 35. To provide for the annexation and merger of any city or town into a contiguous city or town.

Was taken up.

The following amendment offered by Mr. Miller, to-wit:

Amend House bill 35 by adding thereto section 15 as follows:

Section 15. The mayor or other head of the governing body of any city or town shall appoint the commissioners provided for in section one hereof.

(1) Upon the adoption of a resolution by the governing body calling for such appointment.

(2) Upon the presentation of a petition to the governing body signed by one-third of the qualified electors residing within such city or town.

Was adopted.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Glenn	King	Reynolds
Bayles	Gunn	Leith	Spragins
Blackmon	Hamner	Lowe	Strother
Davis	Hayes	Merritt	Thomas
Doster	Heacock	Moody	Wilson
Forrester	Horton	Reese	Wimberly
Gardner	Jones		

—26.

And the bill as thus amended, was read a third time, at length, and passed.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Merritt	Strother
Blackmon	Hamner	Miller	Teasley
Davis	Hayes	Moody	Thomas
Doster	Hinson	McWhorter	White
Forrester	Jones	Reynolds	Wilson
Gardner	King	Spragins	Wimberly
Glenn	Lowe		

—26.

The bill,

S. 569. To authorize certain officers of counties in which dispensaries are now established by law and certain officers of the towns which are operating in said counties, dispensaries for the purchase and sale of liquors, said sets of officers acting together as one body, to require said dispensaries to be conducted and operated under the provisions prescribed by this act, thus providing a new charter for dispensaries ~~that are now being~~ operated or that may hereafter be established in said towns.

Was taken up.

The following amendment offered by the committee, to-wit:

1. Erase from section six (6) the following sentence to-wit: "Any person who may be injured by the failure of the dispenser to observe the provisions of this act or of any rule, ordinance or regulation of his town or city in reference to his dispensary may sue said dispenser on his bond."

2. Erase section fifteen (15) of said bill and insert instead thereof the following:

Section 15. The dispenser shall not sell liquors of any kind except those which he receives from the purchasing agent of his dispensary. He shall not sell on Sundays, or sell to minors or to persons of known intemperate habits. He shall not sell at one time more than one pint of whiskey, brandy, gin, or ale, or of any two of these liquors, or of all of them together. But the dispenser may sell at one time to persons residing outside the corporate limits of both the city of Tuscaloosa and the town of Northport as much as one quart of whiskey, brandy, gin or ale, or any two of them, or of all of them together. But before making such sale the dispenser may require such applicant to sign a written statement that he lives outside the corporate limits of both said city and said town. The dispenser shall sell for cash only. He shall keep an accurate record of the amount of each day's sales. All books, papers, accounts and records of the dispenser shall at all times

be open to the legislative body of his town or city and of every member thereof and of every citizen of the county. On the first day of each month each dispenser shall make to the legislative body of his town or city a complete statement of the assets and liabilities of his dispensary as they stood on the last day of the preceding month. Said report shall also state the average number of sales for each business day during the preceding month. Said report shall at once be published in a newspaper published in the dispenser's county. Such report shall be made on such forms and under such directions, rules and regulations as the legislative body may prescribe. In said report the dispenser shall give full and accurate information as to the condition, expenses, profits, losses and status of his business. He shall give other and additional information, orally or in writing, whenever and as often as the legislative body of his town or city or any member of said body may require.

3. Erase section sixteen (16) of said bill and insert instead thereof the following:

Section 16. If the dispenser or any of his assistants, servants or employees sells, hands, or delivers any liquors except those which the dispenser has received from the purchasing agent of his dispensary, or sells, hands, or delivers any liquor on Sunday, or sells, hands or delivers any liquor to minors or to persons of known intemperat habits, or sells, hands, or delivers at any one time more than one pint of whiskey, brandy, gin or ale, or of any two of these liquors or of all of them together, except as is allowed in section fifteen of this act, such dispenser, servant, or employee shall be guilty of a misdemeanor, and, on conviction, shall be fined not less than ten nor more than one hundred dollars (\$100.00). If the dispenser, or any of his assistants, servants, or employees sells, hands or delivers liquors of any kind to any person when he knows, or has cause to believe, that the dispenser, or any other officer, servant or employee of the dispensary has previously sold liquors to such person during that day, then the person so selling, handing or delivering such liquor shall be guilty of a misdemeanor, and, on conviction, shall be fined not less than

ten nor more than one hundred dollars. If the dispenser, or any of his assistants, servants or employees sells more than one quart of whiskey, brandy, gin, or ale, or of any two of these liquors, or of all of them together, to any person who resides outside of the corporate limits of both the city of Tuscaloosa and the town of Northport, such dispenser, servant or employee shall be guilty of a misdemeanor, and on conviction, shall be fined not less than ten nor more than one hundred dollars.

Was adopted.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Glenn	King	Overton
Bayles	Gunn	Leith	Reynolds
Blackmon	Hamner	Lowe	Spragins
Davis	Hayes	Merritt	Strother
Doster	Heacock	Miller	White
Forrester	Hinson	Moody	Wimberly
Gardner	Jones		

—26.

Mr. Wilson moved to lay the bill and amendments on the table, which motion prevailed.

Yeas, 15; nays, 6.

Yeas:

Messrs:

Bayles	Hayes	McWhorter	Thomas
Glenn	Heacock	Overton	Wilson
Gunn	Leith	Spragins	Wimberly
Hamner	Merritt	Strother	

—15.

Nays:

Messrs:

Jones	Reynolds	Miller	Teasley
Lusk	Moody		

—6.

The bill,

H. 1054. To require the court of county commissioners of Marion county, Alabama, to use two mills each year of the two and one-half mills now used for bridges

for the improvement of the public roads of the county through a public road superintendent or superintendents to be appointed by said court of county commissioners, which court shall fix their compensation to be paid out of said funds; to allow all persons subject to road duty in said county to pay \$5.00 instead of working the ten days as now required; and to provide how and when this law shall go into effect.

Was read a third time, at length, and passed.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Glenn	King	McWhorter
Bayles	Gunn	Leith	Reynolds
Blackmon	Hamner	Lowe	Spragins
Davis	Hayes	Merritt	Thomas
Doster	Heacock	Miller	Wilson
Forrester	Horton	Moody	Wimberly
Gardner	Jones		

—26.

The bill,

H. 1141. To repeal an act entitled an act to increase and regulate the fine and forfeiture fund of Lee county, and to provide for the payment of State's witnesses out of the same, approved March 4th, 1901.

Was read a third time, at length, and passed.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Glenn	Lowe	Reynolds
Bayles	Gunn	Merritt	Spragins
Blackmon	Hamner	Miller	Strother
Davis	Hayes	McWhorter	Teasley
Doster	Horton	Overton	White
Forrester	Jones	Reese	Wilson
Gardner	King		

—26.

The bill,

S. 627. To authorize cities and towns in this State to extend their corporate limits and to provide the manner in which it may be done.

Was taken up.

Mr. Gardner moved to lay the bill upon the table, which motion prevailed.

Yeas, 13; nays, 12.

Yeas:

Messrs:

Barbour	Glenn	King	Moody
Bayles	Heacock	Lusk	Reynolds
Davis	Jones	Miller	Wimberly
Gardner			

—13.

Nays:

Messrs:

Blackmon	Hayes	McWhorter	Strother
Doster	Leith	Overton	White
Gunn	Merritt	Spragins	Wilson

—12.

The bill,

H. 1307. For the relief of tobacco dealers, other than dealers who conduct tobacco and cigar stands, who have paid the license tax under the bill approved March 7, 1907, entitled an act to better provide for the revenue of the State.

Was read a third time, at length, and passed.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lusk	Strother
Bayles	Hayes	Merritt	Teasley
Davis	Heacock	Moody	Thomas
Forrester	Jones	Overton	White
Gardner	King	Reese	Wilson
Glenn	Leith	Reynolds	Wimberly.
Gunn	Lowe	Spragins	

—27.

The bill,

H. 1339. To exempt from taxation all property of any person, firm or corporation who has heretofore patented and owns exclusively, or has heretofore secured and owns exclusively, or who shall hereafter patent and own exclusively, or shall hereafter secure and own exclusively the patent right, on any article designed for

the purpose of protecting human life and property and which has not heretofore been manufactured for sale except such property as is devoted exclusively to the manufacture of such article and to exempt from taxation the stock held by stockholders of such corporation.

Was read a third time, at length, and passed.

Yeas, 19; nays, 5.

Yeas:

Messrs:

Barbour	Hamner	King	Reynolds
Blackmon	Hayes	Leith	White
Forrester	Heacock	Moody	Wilson
Glenn	Horton	McWhorter	Wimberly
Gunn	Jones	Reese	

—19.

Messrs:

Nays:

Lusk	Lowe	Merritt	Spragins
Strother			

—5.

The bill,

H. 182. To empower cities and towns to purchase and operate water works; to provide for issuance of their bonds in payment for the same and to provide for the securing of the unpaid purchase money for such water works.

Was taken up.

Mr. Strother offered the following amendment, to-wit:

Amend said bill so as to read as follows:

1. Cities and towns may construct or purchase and operate water works plants; such plants may be within or without such city or town; such plants may be purchased subject to incumbrances and to contracts to furnish water therefrom, the payment and performance of which may be assumed; in payment for such plants, cities or towns may issue their bonds in the manner provided by law and the same may be secured by mortgage or deed of trust on the plants so purchased; by the

terms of such purchase it may be provided that the revenues of such water works may be collected, controlled and disbursed by a commission selected in the manner and having the powers and terms of office which may be agreed upon between the vendor of such plant and such city or town.

2. By the terms of purchase, it may be further provided that the purchaser at a foreclosure sale under such mortgage or deed of trust shall have a franchise for not exceeding thirty years to operate such plant.

Mr. Miller moved to lay said amendment on the table, which motion was lost.

Yeas, 12; nays, 14.

Yeas:

Messrs:

Barbour	Hayes	King	Spragins
Davis	Heacock	Miller	Thomas
Glenn	Jones	Reynolds	Wilson

—12.

Nays:

Messrs:

Bayles	Gunn	Merritt	Overton
Blackmon	Leith	Moody	Strother
Doster	Lowe	McWhorter	White
Forrester	Lusk		

—14.

And said amendment was then adopted.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Bayles	Hayes	Lusk	Spragins
Blackmon	Heacock	Miller	Strother
Doster	Jones	Moody	Thomas
Forrester	King	McWhorter	White
Glenn	Leith	Overton	Wilson
Gunn	Lowe	Reynolds	Wimberly.
Hamner			

—25.

And the bill, as thus amended, was read a third time, at length, and passed.

Yeas, 25; nays, 0.

Yeas :

Messrs :

Barbour	Hamner	Lowe	Reynolds
Bayles	Hayes	Lusk	Spragins
Blackmon	Heacock	Merritt	Strother
Doster	Jones	Miller	Thomas
Forrester	King	McWhorter	Wilson
Glenn	Leith	Overtan	Wimberly
Gunn			

—25.

The bill,

H. 378. To amend sections 1321 and 1322 of the code of 1896, as amended by the act approved March 7, 1907.

Was taken up.

The following amendment offered by the committee, to-wit:

Amend by striking out the words "except such foreign corporations as had qualified in good faith to do business in this State prior to March 7, 1907," where said words first appear together in said act and by inserting in lieu of the words so stricken out the following: "Except foreign corporations whose sole or principal business in this State is that of lending money and which had qualified in good faith to do business in this State prior to March 7, 1907."

Amend section 1321 by adding at the end thereof the following: Provided that all foreign corporations which have heretofore, bona fide, qualified under prior existing laws shall receive a credit for the amount so paid by them on any amount falling due by the provisions of this act.

Was adopted.

Yeas, 26; nays, 0.

Yeas :

Messrs :

Barbour	Doster	Gunn	King
Bayles	Forrester	Hamner	Leith
Blackmon	Gardner	Heacock	Lowe
Davis	Glenn	Jones	Lusk

Miller	Spragins	Thomas	Wilson
McWhorter	Strother	White	Wimberly
Reynolds	Teasley		

—26.

And the bill as thus amended, was read a third time, at length, and passed.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Glenn	Lowe	Strother
Bayles	Gunn	Lusk	Teasley
Blackmon	Hammer	Miller	Thomas
Davis	Heacock	McWhorter	White
Doster	Jones	Reynolds	Wilson
Forrester	King	Spragins	Wimberly
Gardner	Leith		

—26.

The bill,

S. 565. To amend an act entitled an act to provide for the establishment of a bureau to collect, compile, and publish cotton statistics and to prescribe the duties and powers of said bureau, to make appropriations for the maintenance thereof; to require ginner and others to make reports thereto; and to provide penalties for the violations of the provisions of this act. Approved March 5, 1907.

Was taken up.

The following amendment was offered by the committee, to-wit:

A BILL

To be entitled an act to provide for the establishment of a bureau to collect, compile, and publish cotton statistics, and to prescribe the duties and powers of said bureau; to make appropriations for the maintenance thereof; to require ginner and others to make reports thereto; and to provide penalties for the violations of the provisions of this act.

Section 1. Be it enacted by the Legislature of Alabama, That there be created and is hereby created and

established a bureau in connection with the department of agriculture and industries to be known as the Alabama Bureau of Cotton Statistics. Said bureau shall be under the management of a director who shall be appointed by the governor, and shall hold office for a term of four years, unless sooner removed for cause, whose compensation shall be \$1500.00 per annum. Said director shall give a bond in the sum of five thousand dollars, to be approved by the governor, and conditioned upon the full and faithful performance of his duties.

Section 2. It shall be the duty of said director to prepare and keep a list of all cotton ginner and public warehousemen in the State; to provide all such with copies of this act and with suitable forms for making reports; and to collect, compile, and publish, as hereinafter prescribed, full statistics of cotton ginned and warehoused within the State and such other cotton statistics as in his discretion may be necessary to show the annual production and distribution of cotton for the State. The dates to which the reports of cotton ginned shall relate shall be the same as provided for by the national government. It shall also be the duty of director to require said ginner and others to make reports to the Alabama bureau of cotton statistics of the quantity of cotton ginned and warehoused to the dates specified, to report in accordance with forms which may be furnished them by the said director.

Section 3. Every individual, firm, or corporation before engaging in the business of ginning cotton seed in the State of Alabama, shall secure a license to operate a gin which must be renewed each year prior to ginning cotton of the new crop; said license to be issued by the probate judge of the county in which the ginner is located upon filing of an application and affidavit and payment of a fee of twenty-five cents. Said license shall carry a permit to gin seed cotton at one specified location. The form of affidavit which must accompany the application for said license must be as follows:

I _____, of _____ county, State of _____, do solemnly swear that I will make

a true and correct report on forms furnished of the number of bales of cotton ginned by me in the State of Alabama to specified dates delivering the same to persons designated and authorized by the director of the bureau of cotton statistics to receive these reports.

Section 4. The probate judge shall issue a license to every individual, ~~firm or corporation~~ engaged or proposing to engage in the ginning of seed cotton, ~~after he~~ shall have filed the prescribed application and affidavit and have paid the license fee, provided for in section 3 of this act. The said probate judge shall number each license issued by him consecutively, beginning with (1) one in each season, and shall on the day on which said license is issued forward to the Alabama Bureau of Cotton Statistics the name and address of the ginner and the number of the license issued to said ginner. The moneys received as fees under the provisions of this act, shall be retained by said probate judge as remuneration for the administering of the oath and for the issuance of the license called for in this act, and to pay for the forms required.

Section 5. Every individual, firm, or corporation operating a ginnery in this State shall keep a book record of all cotton ginned, both on his own account and for others, the name of the person or persons for whom ginned, and the dates on which ginned, and the gross weight of each bale.

Section 6. Any individual, firm, or corporation refusing to comply with the provisions of this act, or who shall furnish inaccurate information, shall be guilty of a misdemeanor and shall upon conviction be fined not less than \$10 or more than \$100 for each offense. It is hereby made the duty of the prosecuting solicitors in this State to prosecute all violations of this act.

Section 7. The director of said bureau is hereby authorized to appoint and commission such local field agents to assist in the collection of these reports as in his discretion may be deemed expedient, said agents to serve without compensation. Said director is also authorized with the consent and approval of the governor, to incur all necessary expenses including books, post-

age, stationery, office supplies and clerical assistance, as may be necessary to defray the expenses of such bureau for books, postage, stationery, office supplies and clerical assistance. Upon approval by the governor of vouchers of such expenses, the auditor shall issue a warrant on the treasurer for the amounts so approved. Such warrant shall be paid by the treasurer, and for this purpose the sum of two thousand (2,000) dollars per annum, or so much thereof as may be necessary, is hereby appropriated out of the moneys in the treasury, not otherwise appropriated, for each of the fiscal years.

Section 8. That the act entitled, To provide for the collection, compilation, and publication of statistics of cotton ginned within the State; to establish a bureau of Cotton Statistics, and to prescribe the duties and powers of such bureau; to make appropriations for the maintenance thereof; to require ginners to make reports thereto, and to fix penalties for the violations of the provisions of this act, approved March 5, 1907, and all laws and parts of laws inconsistent with the provisions of the act are hereby repealed.

Mr. Wilson offered the following amendment to the amendment offered by the committee:

Amend section seven (7), line 13, substitute for S. B. 565, by striking out the words "two thousand dollars" and insert in lieu thereof the words "fifteen hundred dollars."

Which was adopted.

Yeas, 20; nays, 2.

Yeas:

Messrs:

Blackmon	Jones	Merritt	Strother
Doster	King	Miller	Teasley
Gunn	Leith	McWhorter	Thomas
Hayes	Lowe	Overton	Wilson
Heacock	Lusk	Reese	Wimberly

—20.

Nays: Messrs. Reynolds and Spragins—2.

And the amendment, as thus amended, was adopted.

Yeas, 24; nays, 1.

Yeas:

Messrs:

Barbour	Gunn	Lowe	Reese
Blackmon	Hayes	Lusk	Strother
Davis	Heacock	Miller	Teasley
Doster	Jones	Moody	Thomas
Forrester	King	McWhorter	Wilson
Glenn	Leith	Overton	Wimberly

—24.

Nays: Mr. Spragins—1.

And the bill, as thus amended, was read a third time, at length, and passed.

Yeas, 25; nays, 1.

Yeas:

Messrs:

Barbour	Hamner	Merritt	Reid
Blackmon	Hinson	Miller	Strother
Davis	Horton	Moody	Teasley
Doster	King	McWhorter	White
Forrester	Leith	Overton	Wilson
Gardner	Lusk	Reese	Wimberly
Gunn			

—25.

Nays: Mr. Spragins—1.

The bill:

H. 674. To regulate the practice of medicine in the State of Alabama.

Was taken up.

The following amendment offered by the committee, to-wit:

Amend section 17 by striking out the words "fifteen dollars" and inserting in lieu thereof the words "ten dollars."

Was adopted.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Leith	Spragins
Bayles	Hamner	Lowe	Strother
Blackmon	Hayes	Merritt	Thomas
Davis	Heacock	Moody	White
Doster	Horton	McWhorter	Wilson
Forrester	Jones	Overton	Wimberly
Glenn	King	Reynolds	

—27.

And the bill, as thus amended, was read a third time, at length, and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Lowe	Reese
Bayles	Hamner	Lusk	Reynolds
Blackmon	Hayes	Merritt	Spragins
Doster	Horton	Miller	Teasley
Forrester	King	McWhorter	Thomas
Gardner	Leith	Overton	Wimberly
Glenn			

—25.

The bill:

S. 507. To set aside all moneys arising from the sale of fertilizer tags, sale of licenses, or any other funds collected by the department of agriculture and industries paid into the State treasury, not otherwise appropriated, and six thousand (\$6,000) dollars from any funds in the treasury, not otherwise appropriated, for the use of the department of agriculture and industries for the purpose of holding farmers' institutes, conducting experiments, gathering statistics, paying the salary of the State chemist, printing and distributing bulletins and hand-books and for carrying out any laws now in existence or may hereafter be enacted for the betterment of the agricultural interests.

Was taken up.

The following substitute offered by the committee, to-wit:

A BILL

To be entitled an act to appropriate four thousand (4,000) dollars out of moneys arising from the sale of fertilizer tags, sale of licenses, or any other funds collected by the Department of Agriculture and Industries and paid into the State treasury, not otherwise appropriated for the use of the Department of Agriculture and Industries for the purpose of holding farmers' institutes, conducting experiments, gathering statistics and for carrying out all laws now in existence or may hereafter be enacted for the betterment of the agricultural interests of the State.

Section 1. Be it enacted by the Legislature of Alabama, That there be and is hereby appropriated annually for the use of the Department of Agriculture and Industries on approval of the governor, four thousand (4,000) dollars out of any moneys arising from the sale of fertilizer tags, sale of licenses to deal in fertilizers, or any other moneys collected by the Department of Agriculture and Industries and paid into the State treasury, not otherwise appropriated for the purpose of obtaining samples of each and every brand of fertilizers sold or exchanged or offered for sale and exchange in the State of Alabama, for each season in which fertilizers are offered for sale, and publishing the same; and for holding farmers' institutes, making experiments, gathering statistics, and carrying into effect all laws now in existence or may hereafter be passed for the betterment of the agricultural interests of the State.

Section 2. That the auditor of Alabama is hereby authorized and required to draw his warrant upon the treasury of Alabama for such sums as the commissioner of agriculture and industries may make requisition for upon the approval of the governor, at the end of each month, not to exceed the said amount of four thousand (4,000) dollars for any fiscal year, provided, however, nothing contained in this act shall be construed as interfering with the provisions as set forth.

Section 3. That the commissioner of agriculture and industries shall submit monthly reports to the governor of all moneys received and expended by the department of agriculture and industries.

Was adopted.

Yeas, 18; nays, 6.

Yeas:

Messrs:

Bayles	Glenn	Leith	Overton
Blackmon	Gunn	Miller	Reynolds
Doster	Hamner	Moody	Teasley
Forrester	Hayes	McWhorter	Wilson
Gardner	Heacock		

—18.

Nays:

Messrs:

Barbour	Lowe	Spragins	Strother
King	Lusk		

—6.

And the bill, as thus amended, was read a third time, at length, and passed, and ordered sent to the House forthwith without engrossment.

Yeas, 16; nays, 9.

Yeas:

Messrs:

Doster	Hayes	Moody	Reynolds
Forrester	Heacock	McWhorter	Teasley
Gunn	Leith	Overton	Thomas
Hamner	Miller	Reese	Wilson

—16.

Nays:

Messrs:

Barbour	Jones	Lowe	Spragins
Bayles	King	Lusk	Strother
Glenn			

—9.

The bill:

H. 271. To prevent the removal of ginners tags from cotton bales and to provide a penalty therefor.

Was read a third time, at length, and passed.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Lusk	Spragins
Bayles	Hayes	Miller	Strother
Blackmon	Heacock	Moody	Thomas
Davis	Jones	McWhorter	White
Doster	King	Reese	Wilson
Forrester	Leith	Reynolds	Winberry
Glenn	Lowe		

—26.

INDEFINITE POSTPONEMENT OF BILL.

On motion of Mr. Forrester,

S. 625. To provide for the construction, repairing, working and maintaining of the public roads of Henry county, Alabama, and to provide for the levying a special property and a per capita tax for same, and for the punishment of defaulters.

Was indefinitely postponed.

On motion of Mr. Teasley,

H. 1363. To amend an act to alter and re-arrange the boundaries of the city of Montgomery extending the corporate limits of said city, approved Feb. 23, 1903.

Was indefinitely postponed.

On motion of Mr. White,

H. 1101. To amend an act entitled an act to fix the times and places of holding circuit court in the Seventh judicial circuit approved Oct. 3, 1903.

Was indefinitely postponed.

RECESS.

The hour of 6 o'clock p. m. having arrived, the Senate recessed until 8:30 o'clock tonight.

NIGHT SESSION.

Friday, August 2nd, 1907.

The Senate re-assembled at 8:30 o'clock.

ROLL CALL.

Upon the call of the roll, a quorum of the Senate was present.

UNFINISHED BUSINESS.

The Senate proceeded to consider the unfinished business of the morning session, which was the amendment offered by Mr. Blackmon to the bill:

S. 390. To provide for the management, control, preservation and disposition of the property of foreign corporations within the State, where said corporations forfeit their right to do business in the State by violation of the laws of Alabama or failing to comply therewith.

On motion of Mr. Thomas, the bill and amendment were indefinitely postponed.

Yeas, 16; nays, 6.

Yeas:

Messrs:

Barbour	Hayes	Moody	Spragins
Blackmon	Heacock	Overton	Teasley
Doster	Jones	Reese	Thomas
Glenn	King	Reynolds	Wimberly

—16.

Nays:

Messrs:

Bayles	Hamner	Lusk	McWhorter
Strother	Wilson		

—6.

PAIRS ANNOUNCED.

Mr. Miller announced that he and Mr. Davis were paired on this vote; that if Mr. Davis was present he would vote nay, and that he, Mr. Miller, would vote yea.

Mr. Horton announced that he and Mr. Hinson were

paired on this vote; that if Mr. Hinson was present he would vote yea, and that he, Mr. Horton, would vote nay.

RESOLUTION.

Mr. Teasley offered the following resolution:

S. J. R. 133. Resolved by the Senate, the House concurring, That the President of the Senate and the Speaker of the House, be and they are hereby requested to erase their signatures from:

S. 608. To provide that no license or taxes of any character shall be required by the State, county or municipality from the Alabama Agricultural Association or from those who conduct business under contract with it on its grounds during the time its annual fair is actually in progress.

Which, under a suspension of the rules, was adopted.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following Senate bills:

S. 583. To authorize the court of county commissioners of Perry county, Alabama, to fix the ex-officio fees of the sheriff of said county.

S. 487. To authorize incorporated cities and towns in this State which have within their corporate limits ancient, private or family cemeteries or burial grounds to contract for their care and maintenance.

S. 530. To repeal an act entitled an act to abolish the county court of Marion county, approved February 1, 1895, and to provide for a county court hereafter in Marion county, Alabama, under the Code as heretofore.

S. 476. To amend section 3 of an act entitled "an act to protect and regulate the time and manner of catching and taking fish from and in the waters of the State of Alabama, in the counties of Mobile and Baldwin," approved February 9, 1891.

S. 471. To amend section 1 of an act, approved December 7th, 1896, entitled an act to amend Sec. 1 of an act entitled an act to protect the fish in Deer river, East

Fowl river, West Fowl river, Little river and the tributaries of these streams in Mobile county, approved February 18th, 1895.

S. 441. To amend section one of an act, "To prohibit, regulate and restrict the sale or other disposition of intoxicating liquors, drinks or beverages within the State of Alabama by providing for elections in the various counties of the State to determine whether the sale or other disposition of such intoxicating liquors, drinks or beverages shall be so prohibited, regulated and restricted.

And returns same herewith to the Senate.

Cyrus B. Brown,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in the S. J. R. 133, relative to erasure of signature of President of Senate and Speaker of House from the bill S. 608.

And herewith returns same to the Senate.

Cyrus B. Brown,
Clerk.

ERASURE OF SIGNATURE.

On motion of Mr. Teasley, and in accordance with S. J. R. 133, heretofore adopted by the Senate and concurred in by the House, the President of the Senate erased his signature from:

S. 608. To provide that no license or taxes of any character shall be required by the State, county or municipality from the Alabama Agricultural Association or from those who conduct business under contract with it on its grounds during the time its annual fair is actually in progress.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in the Senate amendments to the following House bills:

H. 1303. To amend subdivision of section 1377 of ~~the civil Code relating to compensation of sheriffs for ex-officio services.~~

H. 34. To provide means for the extension of the corporate limits of cities having twenty-five thousand inhabitants or over, and exempting from city taxation property brought within the corporate limits for certain periods of time and fixing the rights, powers, duties, liabilities and jurisdiction of the city over the territory brought into the corporate limits and the rights of the inhabitants thereof, including rights relating to public schools and to provide for the apportionment between city and county of the road and bridge tax collected by the county on property within the city, and the expenditure of the fund by the city.

H. 35. To provide for the annexation and merger of any city or town into a contiguous city or town.

H. 421. Providing for the survey and analysis and classification of the soils of the State.

H. 273. To fix the ex-officio fees of the clerks of the circuit court in the several counties of the State of Alabama; and to provide for the payment of the same.

H. 182. To empower cities and towns to purchase and operate water-works; to provide for the issuance of their bonds in payment for the same, and to provide for the securing of the unpaid purchase money for such water works.

H. 378. To amend sections 1321 and 1322 of the Code of 1896, as amended by the act approved March 7, 1907.

H. 674. To regulate the practice of medicine in the State of Alabama.

Cyrus B. Brown,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

In accordance with S. J. R. 133, heretofore adopted, the Speaker of the House has erased his signature from the bill S. 608.

Cyrus B. Brown,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended, as therein shown, and as amended has passed the following Senate bill:

S. 608. To provide that no license or taxes of any character shall be required by the State, county, or municipality from the Alabama Agricultural Association or from those who conduct business under contract with it on its grounds during the time its annual fair is actually in progress.

And returns same herewith to the Senate.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Teasley, the Senate concurred in the House amendment to Senate bill No. 608, the title to which is set out in the above and foregoing message from the House, said amendment being as follows, to-wit:

Amend section one (1) by striking out the words "Central Alabama Fair" and inserting in lieu thereof the words "Alabama Agricultural."

Yeas, 22; nays, 0.

Yeas:

Messrs:

Barbour	King	Overton	Strother
Bayles	Lusk	Reese	Teasley
Gunn	Merritt	Reid	White
Hamner	Miller	Reynolds	Wilson
Hayes	Moody	Spragins	Wimberly
Jones	McWhorter		

—22.

REPORT FROM COMMITTEE ON ENROLLED BILLS.

Mr. Moody, from the committee on Enrolled Bills, made the following report, which was adopted:

Mr. President:

The committee on Enrolled Bills report that they have examined the following Senate bill:

S. 608. An act to provide ~~that no license or taxes of~~ any character shall be required by the State, county or municipality from the Alabama Agricultural Association or from those who conduct business under contract with it on its grounds during the time its annual fair is actually in progress.

And finds same to be correctly enrolled.

Frank S. Moody,
Chairman.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after its title had been publicly read, at length, by the secretary, signed the above Senate bill, the title of which is set out in the foregoing report from the committee on Enrolled Bills, the reading at length of said bill having been dispensed with, by a two-thirds vote of a quorum of the Senate present.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker of the House having signed the following House bills your signature thereto is requested:

H. 1213. To amend section five of an act approved February 22nd, 1907, entitled "An act to prohibit the sale, barter, exchange, giving away, lending, delivering or otherwise disposing of spirituous, malt liquors, intoxicating beverages, bitters or proprietary medicines in Lamar county, Alabama, and to prohibit the shipping into said county by any common carrier, and the bringing into said county by any person for the use of any other person than himself, any such spirituous, vinous

or malt liquors, intoxicating beverages or intoxicating bitters, or intoxicating proprietary medicines from any place within this State, and to prohibit the procuring for another or the taking or soliciting or receiving of orders for spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters, or intoxicating proprietary medicines, in said county, and to prohibit the giving of orders for spirituous, vinous or malt liquors, intoxicating beverages or intoxicating proprietary medicines in said county, and to prohibit the giving of orders for spirituous, vinous or malt liquors, intoxicating beverages, or intoxicating bitters, or intoxicating proprietary medicines by any person in said county over any telegraph or telephone line, and to prohibit the receiving or sending by any telephone or telegraph company in said county of any order for spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters or intoxicating proprietary medicines to any point within this State, and to provide penalties for all such prohibited acts, and to repeal all laws in conflict herewith.

H. 1210. To repeal section 1 of an act to increase the criminal jurisdiction of the justices of the peace in the counties of Limestone, Marion, Green and Marshall, approved February 12, 1879, so far as Marion county is concerned, and to provide that justices of the peace and notaries public and ex-officio justices of the peace of Marion county shall have and exercise the jurisdiction given by the Code and general laws of the State.

H. 895. To repeal an act entitled an act to provide for the election of the county superintendent of education by a vote of the legal electors of Covington and Bullock counties, approved February 17th, 1885, so far as the same relates to Bullock county.

H. 906. To appropriate a sum of money to pay for the stationery and stationery supplies used by the Legislature of Alabama during this present session.

H. 1369. For the relief of A. J. Brooks of Jefferson county, Alabama.

H. 1321. To repeal sections 4, 5, 6 and 8 of an act entitled an act to "better provide for working the pub-

lic roads in the counties of Baldwin, Escambia and Monroe, approved February 9th, 1901," in so far as the same applies to the county of Monroe, and to amend section twelve of said act and further regulate the working of the public roads in Monroe county.

H. 902. To provide for the election and disbursement of proceeds appropriated by law to the public schools of Coffee county from the dispensaries of said county.

H. 1008. To establish the law and equity court of Mobile.

H. 1106. To make it unlawful for any person to sell, give away, or otherwise dispose of spirituous, vinous, or malt liquors within three miles of the school house known as the Powell school-house in beat six (6) of Crenshaw county, Alabama, and to punish violations of the same.

H. 1194. To establish, maintain and regulate a dispensary in the city of Uniontown, Perry county, Alabama, for the sale of spirituous, or vinous liquors or malt liquors, wines, ciders, or other intoxicating liquors and to establish a board of directors for the purpose of better controlling and managing the sale of spirituous, or vinous liquors, malt liquors, wines, ciders, or other intoxicating liquors; to provide for the distribution of the profits from the sale of said liquors in said dispensary between said city and said county, and for other purposes.

H. 1075. To amend section 809 of the Code of 1896.

H. 1107. To appropriate thirty-five hundred dollars (\$3,500.00) for the incidental and contingent expenses to be disbursed on the order of the governor.

H. 932. To alter and re-arrange the boundary lines and corporate limits of the town of Elyton, Jefferson county, Alabama.

H. 900. To amend sections 2, 3, 6, 10, 11 (as amended March 2, 1901) 12 and 18 (as amended March 2, 1901) of an act, to establish a county court for the county of Clay, approved December 13th, 1898.

Cyrus B. Brown,
Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read at length by the secretary, signed the above House bills, the titles of which are set out in the foregoing message from the House, the reading at length of said bills having been dispensed with by a two-thirds vote of a quorum of the Senate present.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bills and ordered same sent forthwith to the Senate without engrossment:

H. 893. To further prescribe the official duties of the deputy solicitors of the various counties of Alabama.

H. 1249. To regulate the fees of the sheriff for feeding prisoners confined in jail under charge or conviction of any indictable offense, and to provide the payment therefor.

And sends same herewith to the Senate.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

The House bills in the foregoing House message were severally read once and referred to appropriate standing committees as follows:

H. 893, to Local Legislation.

H. 1249, to Revision of Laws.

REPORT FROM RULES COMMITTEE..

Mr. Gardner, from the committee on Rules, reported favorably the resolution of Mr. Reese offered at the afternoon session, to make

H. 936. To propose an amendment to the constitution of the State of Alabama, for the purpose of providing for the formation and establishing of new counties

out of portions of one, two or more counties as may be desired.

A paramount, continuing and superceding special order for Tuesday, August 6, 1907, at 11:30 o'clock a. m. and to have precedence over other special orders.

Which report was adopted.

BILLS ON THIRD READING.

The bill:

H. 1028. To repeal section 22 of an act to further amend the revenue laws of the State of Alabama, approved March 7th, 1907.

Was read a third time, at length, and passed.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Barbour	Heacock	Miller	Strother
Bayles	Horton	Moody	Strother
Glenn	Jones	McWhorter	Teasley
Gunn	King	Overton	White
Hamner	Lusk	Reynolds	Wilson
Hayes			

—21.

The bill:

H. 1310. To make an appropriation for the payment of sundry balances and to provide for the completion of the improvements on the State capitol building.

Was read a third time, at length, and passed.

Yeas, 18; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lusk	Reynolds
Bayles	Hayes	Miller	Spragins
Blackmon	Horton	Moody	Strother
Gardner	Jones	Reese	Wilson
Glenn	King		

—18.

The bill:

H. 1083. To make an appropriation for furnishing and equipping certain of the offices and department in the State capitol.

Was read a third time, at length, and passed.

Yeas, 20; nays, 4.

Yeas:

Messrs:

Barbour	Hamner	King	Reese
Blackmon	Hayes	Miller	Spragins
Gardner	Heacock	Moody	Teasley
Glenn	Horton	McWhorter	Thomas
Gunn	Jones	Overton	Wilson

—20.

Nays:

Messrs:

Leith	Lusk	Reynolds	Strother
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—4.

The bill:

S. 274. To amend section 1 of an act, entitled, "An act to authorize cities and towns in the State of Alabama to cause elections to be held therein to authorize the issue of bonds for purchasing or constructing public buildings, sewers, streets, alleys, bridges, and public school works and light plants, or to construct the same, and for such other purposes as may be authorized by law; to provide for the manner of giving notice of such election, the manner of holding the same, and the payment of expenses thereby incurred, and to authorize the issue of bonds when at such election the voters thereat shall decide in favor of such bonds issue," approved February 25th, 1903.

Was read a third time, at length, and passed, and ordered sent forthwith to the House.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Horton	Leith
Blackmon	Hamner	Jones	Lusk
Glenn	Hayes	King	Miller

Moody	Reese	Strother	White
McWhorter	Reynolds	(Teasley	Wimberly.
Overton	Spragins	Thomas	

—23.

The bill:

S. 598. To further define the powers and duties of the railroad commission of Alabama and to provide for its mode of procedure and prescribe penalties for violations of its orders.

Was taken up.

Mr. Hayes moved to lay said bill on the table, which motion prevailed.

Yeas, 14; nays, 11.

Yeas:

Messrs:

Bayles	Hayes	Miller	Teasley
Blackmon	Heacock	Reese	Thomas
Glenn	Horton	Spragins	Wimberly
Hamner	Jones		

—14.

Nays:

Messrs:

Gardner	Lusk	Overton	White
Gunn	Moody	Reynolds	Wilson
Leith	McWhorter	Strother	

—11.

The bill:

S. 503. To further regulate and prohibit the sale or other disposition of spirituous, vinous, male or intoxicating liquors, or the issuing of prescriptions by physicians for the sale or other disposition of such liquors.

Was read a third time, at length, and passed, and ordered sent to the House forthwith without engrossment.

Yeas, 16; nays, 4.

Yeas:

Messrs:

Barbour	Hayes	Miller	Thomas
Glenn	Heacock	Moody	White
Gunn	Horton	McWhorter	Wilson
Hamner	Lusk	Reynolds	Wimberly

—16.

Nays:

Messrs:

Leith

Overton

Spragins

Teasley

—4.

The bill:

S. 568. To amend section 18 of an act entitled an act "to provide that under certain conditions an election may be held in the several counties in Alabama, each county acting by and for itself only, as to whether municipal corporations in such counties shall have authority to buy and sell spirituous, vinous or malt liquors; to provide that the voters at said election shall vote "For Dispensary" or "Against Dispensary"; to declare the result and effect of said election; to define the term "dispensary", as used in this act; to provide that in those counties in which at the election aforesaid, a majority of the votes are cast "For Dispensary," the municipal corporations in said counties shall have authority to establish maintain and operate dispensaries, and in and through such dispensaries to buy and sell spirituous, vinous and malt liquors; to prohibit and punish the selling of liquors and intoxicating drinks in said counties in any other way than by such municipal corporation through their dispensaries; to declare that the violation of certain provisions of this act shall be a misdemeanor and to provide for the punishment thereof; and to further regulate the sale of liquors in said counties; this act not being intended, however, to repeal or affect any law which prohibits the sale of liquor in any county or part of a county, or to repeal or affect any law which authorizes municipal corporations to buy and sell liquors in any county or part of a county by and through dispensaries, or to repeal any local law authorizing the sale, without license, of wines made from grapes or berries grown in this State.

Was read a third time, at length, and passed, and ordered sent to the House forthwith without engrossment.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Bayles	Heacock	McWhorter	Teasley
Blackmon	Jones	Reese	Thomas
Glenn	Lusk	Reynolds	White
Gunn	Miller	Spragins	Wilson
Hamner	Moody	Strother	Wimberly
Hayes			

—21.

The bill:

S. 110. To regulate the carrying and the use of fire-arms.

Was taken up.

Mr. Gunn offered the following amendment to said bill

Add to the end of last section the following:

Sec. 12. That nothing herein shall be construed to repeal any laws now enforced against carrying pistols concealed about the person.

Mr. Gunn moved to lay the bill and pending amendments on the table, which motion prevailed.

Yeas, 15; nays, 12.

Yeas:

Messrs:

Barbour	Horton	Moody	Teasley
Glenn	Leith	Overton	White
Hamner	Lusk	Reynolds	Wilson
Hayes	Miller	Strother	

—15.

Nays:

Messrs:

Bayles	Gunn	King	Reese
Blackmon	Heacock	Leith	Spragins
Gardner	Jones	McWhorter	Thomas

—12.

The bill:

S. 423. To prohibit the sale of pistols, revolvers, dirks, bowie knives and pistol cartridges in the State of Alabama.

Was taken up.

Mr. Hamner moved to lay the bill upon the table, which motion was lost.

Yeas, 9; nays, 16.

Yeas:

Messrs:

Hamner	Lowe	Overton	Teasley
Heacock	Miller	Strother	White
Leith			

—9.

Nays:

Messrs:

Barbour	Hayes	Lusk	Reynolds
Blackmon	Horton	Moody	Thomas
Doster	Jones	McWhorter	Wilson
Gunn	King	Reese	Wimberly

—16.

And the bill was read a third time, at length, and passed.

Yeas, 12; nays, 12.

Yeas:

Messrs:

Doster	King	Moody	Thomas
Gunn	Lusk	McWhorter	Wilson
Jones	Miller	Reynolds	Wimberly

—12.

Nays:

Messrs:

Bayles	Hamner	Lowe	Strother
Gardner	Heacock	Overton	Teasley
Glenn	Leith	Spragins	White

—12.

A TIE VOTE.

There being a tie, Mr. Gray, lieutenant governor and the presiding officer of the Senate, cast his vote in favor of the passage of the bill.

TAKEN FROM AN ADVERSE REPORT.

On motion of Mr. Lowe, H. 1168 was taken from the adverse report and referred to the committee on Local Legislation.

BILLS ON THIRD READING.

The bill:

H. 1206. To make an enumeration, or census, of the confederate soldiers residing in the State of Alabama, and to provide for the payment thereof.

Was taken up.

The following amendment offered by the committee, to-wit:

By striking out "State" and insert the word "Legislature."

Was adopted.

Yeas, 19; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Merritt	Spragins
Blackmon	Jones	Miller	Strother
Gardner	King	Moody	Teasley
Glenn	Lowe	McWhorter	Thomas
Hamner	Lusk	Reynolds	

—19.

And the bill, as thus amended, was read a third time, at length, and passed.

Yeas, 18; nays, 1.

Yeas:

Messrs:

Barbour	Jones	Miller	Spragins
Blackmon	King	Moody	Strother
Gardner	Lowe	McWhorter	Teasley
Hamner	Lusk	Reynolds	Thomas
Hayes	Merritt		

—18.

Nays: Mr. Bayles—1.

The bill:

S. 280. To make it an offense for any depot agent or person having control of any passenger depot to neglect or fail to keep in some convenient place at or near such depot a water closet or necessary in good condition for the benefit of ladies in waiting and expecting to become passengers on any passenger train at such depot, and to prescribe the punishment therefor.

Was taken up.

The following amendment offered by the committee, to-wit:

"Amend by adding section 2 to said bill, as follows:

"Section 2. An order made by the railroad commission relieving the railroad company from the duty of erecting such structure shall be a good defense."

Was adopted.

Yeas, 17; nays, 1.

Yeas:

Messrs:

Barbour	Hamner	Lowe	Reese
Blackmon	Hayes	Lusk	Reynolds
Gardner	Jones	Merritt	Spragins
Glenn	King	Miller	Thomas
Gunn			

—17.

Nays: Mr. White—1.

Mr. King offered the following amendment:

Amend by adding section three to said bill which said section then shall read as follows:

Sec. 3. Provided that this bill shall not become operative until 90 days from the date of its approval by the governor.

Which was adopted.

Yeas, 18; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lusk	Spragins
Blackmon	Jones	Miller	Strother
Gardner	King	McWhorter	Thomas
Glenn	Leith	Reynolds	White
Gunn	Lowe		

—18.

And the bill, as thus amended, was read a third time,
at length, and passed.

Yeas, 15; nays, 3.

Yeas:

Messrs:

Barbour	Hayes	Lusk	Reese
Blackmon	Jones	Miller	Spragins
Glenn	King	Moody	Teasley
Gunn	Lowe	McWhorter	

—15.

Nays:

Messrs:

Gardner	Hamner	Thomas
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—3.

ADJOURNMENT.

The hour of eleven o'clock p. m. having arrived, the Senate adjourned until Tuesday, August 6th, 1907, at 9 o'clock a. m.

FORTY-NINTH DAY.

Tuesday, August 6, 1907.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Avery, of the House of Representatives.

ROLL CALL.

Present:

Mr. President, and

Messrs:

Barbour	Hamburger	Lowe	Reynolds
Bayles	Hamner	Lusk	Spragins
Blackmon	Hayes	Merritt	Strother
Davis	Heacock	Miller	Teasley
Doster	Hinson	Moody	Thomas
Forrester	Horton	McWhorter	White
Gardner	Jones	Overton	Wilson
Glenn	King	Reese	Wimberly
Gunn	Leith	Reid	

—35.

JOURNAL.

On motion of Mr. Barbour, the reading of the journal of yesterday was dispensed with and the same was approved.

PRIVILEGES OF THE FLOOR.

The privileges of the floor were extended to Messrs. R. B. Forrester and E. H. Riddle.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has adopted the following House joint resolution:

H. J. R. 344. Be it resolved by the Legislature of Alabama, That the governor be and he is hereby requested to return to the House, H. B. 133, "To amend an act entitled an act to establish an inferior court in precincts 21 and 37, Jefferson county, Alabama, in lieu of all justices of the peace and notaries public with powers of justices of the peace in said precincts, and to define the jurisdiction and powers of said court and the judges thereof," approved Sept. 26th, 1903. For the purpose of having the said bill correctly enrolled.

And sends same to the Senate.

C. B. Brown,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Miller, the Senate concurred in H. J. R. No. 344, which is set out in the foregoing message from the House.

REPORTS OF COMMITTEES.

Mr. Miller, chairman of the standing committee on Judicary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:

H. 1142. To repeal an act entitled an act to amend section 4715 of the Code of Alabama.

Also,

H. 1220. To amend section two (2) and three (3) of an act entitled "An act to amend sections 897 and 911 of chapter 19, article 1, of the Code of Alabama, approved March 6, 1907.

Also,

H. 1131. To provide for the care and preservation of the lands of ~~"The Alabama Insane Hospitals,"~~ and to require the trustees to convey to the corporation their title thereto and to provide for the issuance of patents direct to the purchaser from the Alabama Insane Hospitals, or to the corporation, and to protect the lands from illegal sales for taxes.

Also,

H. 903. To ratify, legalize and confirm all sales and conveyances heretofore made by electric light and power companies, water companies and street railway companies, of all of their property and franchises, to any corporation authorized by its charter, certificate of incorporation or declaration of incorporation, to acquire, own or operate such properties and franchises, where said sales and conveyances have been made pursuant to and with the consent of all stockholders of such selling corporation or corporations; and requiring the purchasing corporation to fulfill all of the obligations, contracts and duties of the said selling corporation or corporations.

Also,

H. 1338. To amend section 932 of the Code of 1896.

Also,

H. 1324. To amend section 2904 of the Code of Alabama as now amended.

Also,

H. 573. To require the president of the convict board to give bond in the sum of twenty thousand dollars to be approved by the governor, and filed and recorded in the Secretary of State.

Also,

H. 1287. (With amendment.) To legalize the registration of, and to make self-proving, deeds of conveyance which have been recorded in the office of the judge

of probate of the proper county before the passage of this act, but not within the time heretofore required by law.

Mr. Bayles, chairman of the standing committee on Revision of Laws, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:

H. 1249. (With substitute.) To regulate the fees of the sheriffs for feeding prisoners confined in jail under charge or conviction of any indictable offense, and to provide the payment thereof.

Also,

H. 1392. To amend section 4715 of the Code of Alabama of 1896 as amended by an act approved Feby. 21, 1899.

Mr. Miller, chairman of the standing committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:

H. 1127. To amend section 17 of an act entitled an act to provide a system of quarantine for the State, approved February 23, 1899.

Also,

H. 937. To amend Sec. 5 of an act entitled an act "To establish a home for indigent confederate veterans residing in the State of Alabama who are unable to make a livelihood on account of physical disability or old age, and to make appropriations for improving and maintaining the same," approved Oct. 6th, 1903.

Also,

H. 1397. To amend "An act to make appropriations for the ordinary expenses for the executive, legislative and judicial departments of the State, for the interest on the public debt and for public schools."

Also,

H. 527. (With substitute.) To repeal subdivision 84 1-2 of an act entitled an act to better provide for the revenue of the State, approved March 4th, 1903.

Also,

H. 280. To furnish blanks to justices of the peace, notaries public and ex-officio justices of the peace, and constables, necessary for their business in their courts and to make provisions for the payment thereof.

Mr. Hamner, chairman of the standing committee on Banking and Insurance, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report:

H. 576. To provide for the incorporation of mutual aid, benefit and industrial companies or associations.

Mr. Reynolds, chairman of the standing committee on Education, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:

H. 1328. To prescribe the qualifications and additional duties of county superintendents, and to provide a more efficient supervision for the public schools of Alabama.

Also,

H. 368. To provide for the examination of applicants for second grade teachers certificate on their knowledge of the school laws of the State and to provide for the publication and distribution of the new school laws among the trustees and public school teachers of the State.

Also,

H. 1224. To fix the time for the holding of the examinations for teachers in the public schools of the State of Alabama.

Also,

H. 593. To confirm and ratify the lease of the north-east quarter of section sixteen of township five, south, of range two, east, by the board of education of Baldwin county, Alabama.

Mr. Horton, chairman of the standing committee on Agriculture, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report:

H. 856. To fix the compensation of the assistant clerk in the office of the commissioner of agriculture and industries and to make appropriation therefor.

Mr. McWhorter, chairman of the standing committee on Temperance, reported that said committee in session, had acted on the following bill and ordered same returned to the Senate with a favorable report:

H. 928. To prohibit the sale of hop-jack, hop-tea, hop-weiss, hop-ale, malt tonic, or other beverages, the product of maltose or glucose, at any place where the sale of spirituous, vinous or malt liquors are prohibited by law.

Mr. Merritt, chairman of the standing committee on Local Legislation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report:

H. 1358. To better provide for the payment of witnesses in criminal cases who are summoned and appear for the State in the several courts of Walker county.

Also,

H. 1288. To authorize the court of county commissioners, board of revenue or other courts of like jurisdiction of Walker county, to contract for supplying the court rooms and the offices of the county officers with water, gas, electric lights, heat, telephones and such other conveniences as such court may deem necessary or advisable, and to keep the said rooms and offices in good condition and order, and to provide for the payment of same.

Also,

H. 893. To further prescribe the official duties of the deputy solicitor of the various counties of Alabama.

Also,

H. 1327. To amend Sec. 1, 2, 3 of an act entitled an act to provide a new charter for the town of Cordova, Walker county, Alabama, approved December 13th, 1900.

Also,

H. 1091. To repeal an act entitled "An act to provide for and regulate the issuance of license for the sale of vinous, spirituous, and malt liquors to hotel owners, keepers or lessees in beat 1, Blount Springs precinct, in the county of Blount, State of Alabama."

Also,

H. 1270. To require the tax assessor of Montgomery county to make annually, a lot book showing in abstract form, all legal subdivisions which have been or which may be hereafter made of all property in Montgomery county, and the name of the person, firm or corporation to whom each lot or subdivision is assessed for the current year; and to provide compensation therefor.

Also,

H. 1274. To authorize and empower the county treasurer of Morgan county, Alabama, to pay all jurors, grand and petit, and all bailiffs, janitors and other proper officers of the Morgan county law and equity court of Morgan county, Ala., except the salary of the judge of said court and to pay for the supplies, records, furniture, stationery and fixtures of said court, and to provide for his compensation therefor.

Also,

H. 993. To amend an act entitled an act, to fix and regulate the ex-officio fees of the clerk of the circuit court of Limestone and Morgan counties.

Also,

H. 989. To fix the time and place where the tax collector of Morgan county, Alabama, shall keep his office, and prescribing the number of rounds to be made by him in the county each year for the purpose of collecting taxes and allowing him to fix the number of days to remain in the several precincts, for the purpose of collecting taxes during the months of October and November in each year, and requiring him to be at the court house of the county during the month of December in each year, for the purpose of collecting the taxes of the county.

Also,

H. 1272. To provide for the transfer of civil causes pending in the circuit court of Morgan county, Alabama, to the Morgan county law and equity court and to provide for the trial of said causes so transferred.

Also,

H. 1170. To provide for the payment of outstanding claims against the fine and forfeiture fund of Morgan county, to provide for the issuing and payment of all

witness certificates in behalf of the State out of the fine and forfeiture fund; authorize and direct the county treasurer to appropriate and transfer from the general funds of the county to the fine and forfeiture fund a sufficient amount to pay witness certificates, and to provide for quarterly reports of the condition of said funds.

Also,

H. 1168. To amend sections 6 and 7 of an act entitled "an act to establish the Morgan county law and equity court; to create and define its jurisdiction; provide its officers, their powers, duties and compensation; to fix the terms of said court and to prescribe rules and procedure for said court," approved February 23rd, 1907.

Mr. Lusk, chairman of the standing committee on Judiciary, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report:

H. 851. Regulating or fixing weights under which flour, corn meal, and grits shall be packed in Alabama, to protect purchasers and dealers from fraudulent short weights, and to prohibit fraudulent packing and sale of flour, corn meal and grits; to provide for variations or inaccuracies in weights and fix a penalty for violation of this act.

Mr. Bayles, chairman of the standing committee on Revision of Laws, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report:

H. 1391. To prescribe the rules of evidence upon applications of confederate soldiers or sailors, resident citizens of Alabama, and their widows for pensions under the pension laws of Alabama as to proving the fact of service in the confederate army, or in the State troops of Alabama and that they did not desert, and to provide for a special session of State and county boards of examiners during the year 1907 for the examination of applicants, and to repeal all laws and parts of laws in conflict with this act.

The foregoing bills, contained in said committee reports, were severally read a second time and placed on the calendar.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has received the accompanying message from his excellency, the governor, proposing an amendment to:

H. 810. To establish a board of revenue for Houston county.

And the House has concurred in and adopted the amendment proposed by the governor by a majority vote of the whole House; the vote on said amendment being: Yeas, 65; nays, 0.

And herewith sends same to the Senate for its consideration.

Cyrus B. Brown,
Clerk.

MESSAGE FROM THE GOVERNOR.

To the House of Representatives:

I herewith return H. B. No. 810 entitled "An act to establish a board of revenue for Houston county." I suggest the following amendments thereto, viz.: 1. Amend said bill by striking out from section three thereof the following words, "to have exclusive control of the convict labor of the county and the disbursement of the proceeds of the same." 2. Striking out from section seven of the bill the following words, viz.: "to report to said board all infractions of the revenue law in said county of which he can obtain authentic information;" and by inserting in said section immediately after the words "reasonable compensation," the following words: "not exceeding three dollars per day nor more than one hundred dollars per year." Further amend said section seven of the bill by adding thereto at the end thereof the following words, "provided that nothing in this section or in this act contained shall

in any wise abridge, alter or affect the power, duties, or jurisdiction granted by law to the State tax commission, its agents or officers, or the county tax commissioner of Houston county."

B. B. Comer,
Governor.

HOUSE MESSAGE.

The Senate concurred in and adopted the amendment proposed by the governor to House bill No. 810 as set out in the foregoing message from the House.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	King	Reese
Bayles	Hamner	Leith	Reid
Blackmon	Hayes	Lowe	Reynolds
Davis	Heacock	Lusk	Spragins
Doster	Hinson	Miller	Strother
Forrester	Horton	Moody	White
Gardner	Jones	Overton	Wimberly
Glenn			

—29.

Being a majority of the whole number elected to the House.

BILLS ON THIRD READING.

The bill:

H. 1094. To amend sections 1 and 4 of an act to appropriate annually \$67,000.00 or so much thereof as is necessary, to aid rural school districts in the State, to erect or repair public school houses, approved March 2, 1907.

Was read a third time, at length, and passed.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Barbour	Doster	Glenn	Hayes
Bayles	Forrester	Gunn	Heacock
Davis	Gardner	Hamner	Horton

Jones	Miller	Spragins	White
King	Moody	Strother	Wilson
Leith	McWhorter	Teasley	Wimberly
Merritt	Reynolds	Thomas	

—27.

The bill:

~~H. 1233.~~ To make it unlawful for any person to carry about his person a pistol or firearm of any other kind or description, or air gun, other than on his own premises or from the place of purchasing such firearm or air gun, to his premises or place of business, shorter than twenty-four inches in length, and to fix the burden of proof and the punishment for the violation thereof.

Was taken up.

The following amendment was offered by the committee:

Amend by adding to the bill section to be numbered Sec. 4, as follows:

Sec. 4. That on conviction for the violation of any of the provisions of this act the solicitor's fee shall be thirty (\$30.00) dollars to be taxed as other costs in the case.

Which was adopted.

Yeas, 19; nays, 1.

Yeas:

Messrs:

Bayles	Glenn	Hinson	Teasley
Blackmon	Gunn	Miller	Thomas
Doster	Hamner	Moody	Wilson
Forrester	Hayes	McWhorter	Wimberly
Gardner	Heacock	Spragins	

—19.

Nay: Mr. Leith—1.

Mr. Spragins offered the following substitute:
Substitute to House bill 1233:

A BILL

To be entitled an act to regulate the carrying and the use of pistols.

Section 1. Be it enacted by the Legislature of Alabama, That from and after sixty days from the appro-

val of this act, it shall be unlawful for any person to carry outside the curtilage of his dwelling a pistol until such person has applied for and obtained from the judge of probate of the county of which he is a resident, a license as hereinafter required.

Section 2. No licenses must be issued under the provisions of this act unless the application therefor shall state under oath, that the applicant has never been convicted of any crime involving moral turpitude, and be accompanied by a statement, subscribed and sworn to before some officer, authorized by law to administer oaths, by not less than three reputable householders and freeholders, having families and residing in the applicant's precinct or ward: such statement shall set out how long the applicant has resided in the precinct or ward in the county, that he is a man of good moral character, of peaceable and law abiding habits and in all respects a fit and proper person to be licensed to carry a pistol.

Section 3. Upon the presentation to the judge of probate of the above prescribed statement, application and the payment of a license tax as hereinafter provided, the judge of probate must issue to the applicant a license to carry a pistol openly and unconcealed unless such judge has good reason to doubt the truth of the application or of the statement accompanying the same, in which event he shall deny the license. And the applicant shall thereupon have the right to demand a trial by jury, upon first entering into bond to secure the cost therefor to be approved by the judge; such jury to be empaneled, the trial to be conducted and the appeal taken in the same manner that is now prescribed by law for the trial by jury in contested will cases in the probate court; the issue before the jury shall be the truth, vel non of the statement accompanying the application and of the application itself, and if the verdict is in favor of the applicant the license sought shall be immediately issued. The license tax to carry a pistol openly and unconcealed shall be \$10.00 per annum.

Section 4. Any person desiring to carry a pistol concealed about his person must fully comply with the

requirements of section 2 and 3 of this act, and in addition thereto must enter into bond, in the sum of five hundred (\$500.00) dollars, payable to the State of Alabama, with good and sufficient sureties, to be approved by the judge of probate, and conditioned to keep the peace as to all parties, and to carry no other pistol than that which he is licensed to carry, the make and number of which must appear on his license and on the record of the license in the probate office; the cost of such license shall be \$10.00 per annum.

Any person may bring suit in the name of the State against the principal and sureties of such bond for a breach thereof; one-half of the amount recovered to go to the person bringing the suit, and the remainder to the State.

Section 5. All license issued under this act shall be governed by section 4126 of the Code of 1896, and the license tax collected under this act shall be paid half into the State treasury and half into the treasury of the county in which the license is issued. All license issued in any county shall entitle the person to whom it is issued to carry the pistol in the manner described in the license in any county in the State without further cost.

Section 6. Any person violating the provisions of this act or either of them shall be guilty of a misdemeanor and shall be fined not less than fifty (\$50.00) nor more than five hundred (\$500.00) dollars, and may also be sentenced to hard labor for the county for not more than one year at the discretion of the judge.

Section 7. Provided that nothing herein contained shall apply to the State militia or to any person bearing arms in defense of the State or to sheriffs, their deputies, constables, watchmen, or police officers in the actual discharge of duties requiring the use of pistols.

Section 8. It shall be the duty of the judge of probate of each county to keep in a substantially bound book a record of all licenses issued under this act, showing the names of persons to whom licenses have been issued, the date of such license, the manner in which such person is licensed to carry the pistol, and

the names of the parties recommending the issuing of the license; and he shall furnish to the first grand jury empaneled after this act goes into effect, a complete copy of this record, and to each grand jury thereafter a complete copy of the record as to licenses issued since his last report. The probate judge shall be entitled to a fee of fifty (50) cents, to be deducted by him from the license tax, for each license issued under this act.

Section 9. Any judge of probate who shall refuse or fail to perform any of his duties under this act shall be guilty of a misdemeanor and shall be fined not less than twenty-five (\$25) nor more than five hundred (\$500.00) dollars.

Section 10. All laws and parts of laws, general, local and special in conflict herewith are hereby repealed.

Section 11. On conviction for violation of any of the provisions of this act the solicitor's fee shall be thirty dollars (\$30.00) to be taxed as other costs.

Which was adopted.

Yeas, 20; nays, 8.

Yeas:

Messrs:

Bayles	Hayes	Merritt	Spragins
Davis	Heacock	Miller	Teasley
Doster	Horton	Moody	Thomas
Glenn	Jones	Reese	White
Gunn	King	Reynolds	Wimberly.

—20.

Nays:

Messrs:

Barbour	Gardner	Leith	McWhorter
Forrester	Hamner	Merritt	Strother

—8.

And the bill, as thus amended, was read a third time, at length, and passed.

Yeas, 19; nays, 7.

Yeas:

Messrs:

Bayles	Doster	Glenn	Horton
Davis	Gardner	Gunn	Jones

King
Merritt
Miller

Moody
Reese
Reynolds

Spragins
Teasley
Thomas

White
Wimberly

—19.

Nays:

Messrs:

~~Barbour~~
Forrester

~~Hamner~~
Leith

~~McWhorter~~ Wilson
~~Strother~~

—7.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has received from his excellency, the governor, a message proposing an amendment to:

H. 1044. To alter or change the boundary line between the counties of Etowah and Calhoun, in the State of Alabama, and as altered to establish the same.

And the House has adopted the governor's amendment, by a majority vote of the whole House; yeas, 80; nays, 0.

And the House herewith sends the bill, together with the governor's amendment to the Senate.

Cyrus B. Brown,
Clerk.

Montgomery, Aug. 20, 1907.

To the Senate:

It having been suggested to me by those interested in House bill 1044 that there is a possible discrepancy between the boundary lines as contained in the notice and advertisement of said bill, and the boundary lines described in the bill itself, I herewith return said bill and suggest the following amendment thereto, viz.:

Amend said bill by striking out therefrom all the words and figures therein beginning with the words: "Established as follows," and ending with the words: "The same are hereby replaced," inclusive and by inserting in lieu thereof the following words and figures, viz.:

Beginning at the north-west corner of section 30, T. 12, R. 8, thence south along range line to the point

where said range line intersects the old Indian boundary line, thence south-easterly along said Indian boundary line to where the same is intersected by the section line between section 33, and section 34 of said township and range; thence north along said section line to the north-east corner of said section 33; thence east along section line between section 27 and 34 along the boundary line as now fixed and established by law.

B. B. Comer, Governor.

HOUSE AND GOVERNOR'S MESSAGE.

On motion of Mr. Hamner, the Senate concurred in the governor's proposed amendments to House bill No. 1044, the title to which is set out in the foregoing message from the House, and said amendment is contained in the foregoing message from the governor.

Yeas, 32; nays, 0.

Yeas:

Yeas:

Barbour	Hayes	Lusk	Reynolds
Bayles	Heacock	Merritt	Spragins
Davis	Hinson	Miller	Strother
Doster	Horton	Moody	Teasley
Forrester	Jones	McWhorter	Thomas
Gardner	King	Overton	White
Glenn	Leith	Reese	Wilson
Hamner	Lowe	Reid	Wimberly

—32.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker of the House having signed the following House bills your signature thereto is requested:

H. 1307. For the relief of tobacco dealers, other than dealers who conduct tobacco and cigar stands, who have paid the license tax under the bill approved March 7th, 1907, entitled an act to better provide for the revenue of the State.

H. 239. To repeal an act entitled an act to repeal section 1017 and section 1018 of the revised Code of 1896, in so far as the same relates to Calhoun, Mobile, Etowah and Marion counties, approved March 1st, 1901, so far as the same relates to Marion county.

H. 1184. To amend an act entitled an act to prevent the running at large of stock in certain portions of Elmore county, approved February 18th, 1891.

H. 1291. An act for the relief of W. C. Evans, a confederate pensioner of Pickens county, Alabama.

H. 223. To repeal an act entitled an act to increase the criminal jurisdiction of justices of the peace and notaries public having like powers in Marion county and other counties, approved February 8th, 1877, so far as the same relates to Marion county.

H. 1019. To fix the salary of the judge of the city court of Talladega county and to provide for the payment of the same.

H. 469. To amend section 12 of an act, to grant a new charter to the Alabama Girls Industrial School, approved March 4th, 1901, and to confer additional powers on the trustees of the school.

H. 1314. To abolish and close the dispensary at Headland, Henry county, Alabama.

H. 894. To prohibit any person who holds the office of justice of the peace or any other office where authority is given to issue warrants of arrest, from acting as attorney in cases where the complaint against the defendant was made before such person and the warrant of arrest was issued by him, in his official capacity.

H. 1356. For the relief of John Milford, an ex-confederate soldier.

H. 513. To fix the salary of the clerk of the adjutant general and to make appropriation for same.

H. 1209. To give to certified transcripts of validly executed instruments not properly acknowledged or proved, but that have been of record for twenty years, the same force and effect as transcripts of like instruments duly acknowledged and recorded.

H. 1012. For the relief of Mary A. Gallaway, widow of an ex-confederate soldier, being a resident of Shelby county, Alabama.

H. 1085. To amend an act to establish a State Live Stock Sanitary Board and the office of State Veterinarian in order to further protect live stock from contagious and infectious diseases, and provide for eradicating and excluding such diseases from Alabama, approved March 12th, 1907.

H. 1238. To regulate dispensaries now operated, or which may be operated by municipalities in the county of Geneva; to prescribe and fix a license on each dispensary in addition to that already imposed under the general law; to provide for the payment of such license fee to the judge of probate of Geneva county, and to give the court of county commissioners power to disburse the fund created by such licenses, at its discretion, either in building, repairing or furnishing school houses and buildings exclusively for rural districts of Geneva county, or for repairing the public roads of Geneva county, or for supplementing pensions to pensioners of the first class, or for all said purposes, and to provide a penalty for the failure to pay such license.

H. 1028. To repeal section 22 of an act to further amend the revenue laws of the State of Alabama, approved March 7th, 1907.

H. 1341. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, intoxicating bitters, cordials, or other intoxicating drinks or beverages within four miles of Pleasant Home Missionary Baptist church, Siloam Missionary Baptist church or Ivey Creek public school house, all in Crenshaw county, Alabama, to provide the time when it shall be in force and to fix the punishment for the violation thereof.

H. 1234. To authorize and direct the board of county commissioners of Crenshaw county to pay for advertising the notice and substance of local bills introduced in the Legislature for said county out of any money in the treasury not otherwise appropriated when the bill applies to the entire county, and ordered published by the representative of said county, and this act shall apply to and include the notice and substance of bills advertised at, and during the present session of the Legislature.

H. 1066. To vacate and annul the dedication of the following highways and part of highways, situated in Jefferson county, Alabama, to-wit: All of Sadler avenue; the south half of Lucian avenue from the center of Emma street to the center of Telula street; all of Lucian avenue from center of Telula street to Eastern boundary of Ella street; all of Ella street lying south of a continuation of the south line of the alley running easterly and westerly through block twenty-five and north of center of Valley Creek canal; all of Telula street lying south of the center of Lucian avenue and north of center of Valley Creek canal; the east half of Telula street lying between the continuation of the south line of the alley running easterly and westerly through block twenty-five and center of Lucian avenue; all of Emma street lying south of the continuation of the south line of the alley running easterly and westerly through block twenty-eight and north of the center of Valley Creek canal; the east half of Emma street lying between the continuation of the south line of the alley running easterly and westerly through block twenty-eight and the center of Lucian avenue; and all the alleys in or through blocks twenty-nine, thirty, and thirty-one; all being located according to the survey, map and plan of Owenton, a map of which is recorded in map book two, page twenty-six, in the office of the probate judge of Jefferson county, Alabama.

H. 869. To authorize the town of Enterprise in Coffee county, Alabama, to buy and sell spirituous, vinous, and malt liquors, and to regulate the sale thereof.

H. 1376. To prohibit the sale, barter or exchange of spirituous, vinous, or malt liquors, or other intoxicating drinks, in Hale county, and to provide punishment of violator of said act.

H. 273. To fix the ex-officio fees of the clerk of the circuit court in the several counties of the State of Alabama, and to provide for the payment of same.

H. 812. To amend section (8) eight of an act entitled an act to amend, reconstruct, and provide for the enforcement of, the laws relating to the public health.

H. 515. To abolish the county court of Morgan county, Alabama, and to annul its jurisdiction, which court is provided for in and by article 3, chapter 142 of the code of Alabama, and to provide for the transfer of all the causes of every kind and description pending in said court at the time of the approval of this act, together with all papers, records, processes and everything pertaining to such causes, pending in said court, by the clerk thereof to the Morgan county law and equity court.

H. 970. To prohibit the sale, giving away, or otherwise disposing of beer, whiskey, or other intoxicating drinks or beverages, within one mile of the Barkerville Baptist Church, at Pritchard, in Mobile county, Alabama, and provide a penalty for a violation of this act.

H. 1054. To require the court of county commissioners of Marion county, Ala., to use two mills each year of the two and one-half mills now used for bridges for the improvement of the public roads of the county, through a public road superintendent or superintendents to be appointed by said court of county commissioners, which court shall fix their compensation to be paid out of said fund to allow all persons subject to road duty in said county to pay \$5.00, instead of working the ten days now required, and to provide how and when this law shall go into effect.

H. 1382. To amend an act entitled "An act to provide for an election by the qualified electors of Tuscaloosa county to determine whether the sale, barter, exchange, giving away or otherwise disposing of vinous, spirituous or malt liquors, intoxicating beverages, bitters and proprietary medicines shall be wholly prohibited in said county, and if a majority of said electors shall vote in favor of prohibition to prohibit the sale, barter, exchange, giving away, lending, delivering or otherwise disposing of spirituous, vinous or malt liquors, intoxicating beverages, bitters and proprietary medicines and to prohibit the shipping into said county

by any common carriers and the bringing into said county by any person for the use of any other person than himself any such spirituous, vinous or malt liquors, intoxicating beverages, bitters or proprietary medicines from any place within this State, and to prohibit the taking or soliciting of orders for spirituous, vinous or malt liquors, intoxicating beverages, bitters ~~or proprietary medicines in said county, and to pro-~~

hibit the giving of orders for spirituous, vinous or malt liquors, intoxicating beverages, bitters or proprietary medicines by any person in said county over any telegraph or telephone line, and to provide penalties for all such prohibited acts.

H. 1303. An act to amend subdivision of section 1377 of the civil code, relating to compensation of sheriffs for ex-officio services.

H. 182. To empower cities and towns to purchase and operate water works to provide for the issuance of their bonds in payment for the same and to provide for the securing of the unpaid purchase money for such water works.

H. 421. Providing for the survey and analysis and classification of soils of the State.

H. 1379. To repeal an act to regulate the salaries of teachers in public schools outside of any incorporated towns in Walker county, Alabama, approved March 5th, 1901.

H. 1339. To exempt from taxation all property of any person, firm or corporation who has heretofore patented and owns exclusively, or has heretofore secured and owns exclusively, or who shall hereafter patent and own exclusively, or shall hereafter secure and own exclusively the patent right, on any article designed for the purpose of protecting human life and property and which has not heretofore been manufactured for sale except such property as is devoted exxclusively to the manufacture of such article and ~~exempt from taxation~~ the stock held by stock holders of such corporation.

H. 1345. To amend sections 5 and 7 of an act entitled an act, to provide and establish a stock law for Lamar and Fayette counties so far as the same relates to Browns Percinct, No. 4, in Lamar county.

H. 565. To confer upon foreign municipal corporations of adjoining States the power and authority to acquire, own, take and dispose of property in the State of Alabama for the purpose of procuring water in this State for a municipal water supply; and also to confer upon such municipalities the power to contract to furnish a supply of water to any town, city or municipality of this State.

H. 271. To prevent the removal of ginner's tags from cotton bales and to provide a penalty therefor.

H. 1252. To fix the time of holding the circuit court in the county of Lawrence, in the eighth judicial circuit of Alabama.

H. 235. To regulate hunting upon, or shooting in or across the enclosed field, pasture or other enclosure owned by or in possession of another, in Walker county, Alabama.

H. 1372. To fix the time when the tax collector and tax assessor of Walker county shall begin the round and to visit the several precincts of said county for the purpose of assessing and collecting taxes.

H. 1347. To allow the circuit clerk of Lamar county an assistant clerk.

H. 1141. To repeal an act entitled an act to increase and regulate the fine and forfeiture fund of Lee county, and to provide for the payment of states witnesses out of the same, approved March 4th, 1901.

H. 930. To regulate the administration of the affairs of any municipal corporation which has been absorbed, or its government extinguished by the alteration or rearrangement of the boundary lines of another city or town.

H. 1310. To make an appropriation for the payment of sundry balances, and to provide for the completion of the improvemets on the State capitol building.

H. 378. To amend sections 1321 and 1322 of the code of 1896, as amended by the act approved March 7th, 1907.

H. 34. To provide means for the extension of the corporate limits of cities having twenty-five

thousand inhabitants or over, and exempting from taxation property brought within the corporate limits for certain periods of time, and fixing the rights, powers, duties, liabilities, and jurisdiction of the city over the territory brought into the corporate limits, and the rights of the inhabitants thereof, including rights relating to public schools, and to provide for the apportionment between a city and county of the road and bridge tax collected by the county on property within the city, and the expenditure of the fund by the city.

H. 931. To regulate cities that alter or re-arrange their boundary lines so as to absorb one or more cities or towns, or extinguish the government of one or more cities or towns.

H. 558. To regulate the employment of child labor in certain mills, factories and manufacturing establishments in this State, and to provide for the inspection of the rooms, places and premises wherein they are worked and to adequately punish violations of this act.

H. 1083. To make an appropriation for furnishing and equipping certain of the offices and departments in the State capitol.

H. 674. To regulate the practice of medicine in the State of Alabama.

H. 35. To provide for the annexion and merger of any city or town into a contiguous city or town.

H. 625. To provide for and regulate the working of the public roads in Tallapoosa county, Alabama, and to punish defaulters who fail or refuse to work said roads.

H. 1390. To provide for the appointment of an official stenographer for the second judicial circuit of Alabama, and to prescribe his duties and to fix his compensation.

H. 786. To authorize the town of Brockton, in Coffee county, Alabama, to buy and sell spirituous, vinous and malt liquors, and to regulate the sale thereof.

H. 1169. To establish an inferior court in precinct No. 10 in Morgan county, Alabama, in lieu of all justices of the peace and notaries public with powers of

justices of the peace in said precinct, and to define the jurisdiction and powers of said court and the judge thereof.

H. 1377. To provide for the construction, repairing working and maintaining of the public roads of Henry county, Alabama, and to provide for the levying a special property and per capita tax for same, and for the punishment of defaulters.

H. 366. To provide for the establishment, maintenance and regulation of a dispensary for the sale of spirituous, vinous, malt liquors, ciders and other intoxicants in and for Fayette county, Alabama.

Cyrus B. Brown, Clerk.

SIGNING OF BILLS..

The president of the Senate in the presence of the Senate, immediately after their title had been publicly read at length by the secretary, signed the above House bills, the titles of which are set out in the foregoing message from the House, the reading at length of said bills having been dispensed with, by a two-thirds vote of a quorum of the Senate present.

REPORT FROM THE COMMITTEE ON ENROLLED BILLS.

Mr.. President:

The committee on Enrolled Bills report that they have examined the following Senate bills:

S. 441. To amend an act entitled an act "to prohibit, regulate and restrict the sale or other disposition of intoxicating liquors, drinks or beverages within the State of Alabama by providing for elections in the various counties of the State to determine whether the sale or other disposition of such intoxicating liquors, drinks or beverages shall be so prohibited, regulated and restricted."

S. 471. To amend section one of an act approved December 7, 1896, entitled an act to amend section one of an act entitled an act to protect the fish in Deer river, East Fowl river, West Fowl river, Little river and the

tributaries of those streams in Mobile county, approved February 18, 1895.

S. 487. To authorize incorporated cities and towns in this State which have within their corporate limits ancient, private or family cemeteries or burial grounds to contract for their care and maintenance.

S. 530. To repeal an act entitled an act to abolish the county court of Marion county, approved February 1st, 1895, and to provide for a county court hereafter in Marion county, Alabama, under the code as heretofore.

S. 542. To provide for the construction, repairing, working and maintenance of the public roads and bridges of Madison county.

S. 567. To authorize incorporated towns and cities of Tuscaloosa county to establish, maintain and operate dispensaries, and in and through such dispensaries to buy and sell spirituous, vinous and malt liquors, and to prohibit and punish the selling of liquors and intoxicating drinks in said county in any other way than by such municipal corporations through their dispensaries; to declare that the violation of certain provisions of this act shall be a misdemeanor and to provide for the punishment thereof; to further regulate the sale of liquors in said county; and to repeal an act entitled an act to authorize all incorporated towns and cities in Tuscaloosa county to buy and sell spirituous, vinous and malt liquors, and to provide for the distribution of certain profits arising therefrom, and to further regulate or prohibit the sale of such liquors in said county, approved on the 27th day of February, 1901; this act not being intended however to repeal or affect any existing law under which the sale of liquors in said county may hereafter be prohibited.

S. 583. To authorize the court of county commissioners of Perry county, Alabama, to fix the ex-officio fees of the sheriff of said county.

S. 476. To amend Section 3 of an act entitled an act to protect and regulate the time and manner of catching and taking fish from and in the waters of the State of

Alabama in the counties of Mobile and Baldwin, approved February 9, 1891.

And find same to be correctly enrolled.

Frank S. Moody, Chairman.

SIGNING OF BILLS.

The President of the Senate in the presence of the Senate, immediately after their titles had been publicly read at length by the secretary, signed the above Senate bills, the titles of which are set out in the foregoing report from the committee on enrolled bills. The reading at length of said bills having been dispensed with, by a two-thirds vote of a quorum of the Senate present.

ELECTION OF UNITED STATES SENATOR.

The hour of 12 o'clock m. having arrived, in pursuance of the joint resolution heretofore adopted the Senate proceeded to elect a United States Senator for the unexpired term, expiring and ending March 4th, 1909, and the term beginning March 4th, 1909.

ELECTION OF UNITED STATES SENATOR..

Notice of a vacancy in the Senate of the United States from Alabama having been received, and this being the second Tuesday after notice of such vacancy, said vacancy being caused by the death of the Honorable Edmund Winston Pettus, and in pursuance of a House Joint Resolution heretofore adopted, the hour of twelve o'clock having arrived, the Senate proceeded by a viva vote of each member present to name a person for Senator in Congress for the State of Alabama to fill the unexpired term ending March 4th, 1909.

Mr. Bayles placed in nomination the name of Honorable Joseph F. Johnston, of Jefferson county, Alabama to succeed the Hon. Edmund Winston Pettus as United States Senator from Alabama for the term ending March 4th, 1909, and those who voted for Mr. Johnston are:

Messrs:

Barbour	Hamner	Lusk	Reynolds
Bayles	Hayes	Merritt	Spragins
Blackmon	Heacock	Miller	Strother
Davis	Hinson	Moody	Teasley
Doster	Horton	McWhorter	Thomas
Forrester	King	Overton	White
Gardner	Leith	Reese	Wilson
Glenn	Lowe	Reid	Wimberly

—32.

Being a majority of the whole number of votes cast in the Senate.

ELECTION OF UNITED STATES SENATOR.

Notice of a vacancy in the Senate of the United States from Alabama caused by the death of the late Hon. Edmund Winston Pettus having been received, and this being the second Tuesday after notice of such vacancy, and in pursuance of a House Joint Resolution heretofore adopted, the hour of twelve o'clock having arrived, the Senate proceeded by a viva voce vote of each member present to name a person for Senator in Congress for the State of Alabama to fill the vacancy for the term beginning March 4th, 1909.

Mr. McWhorter placed in nomination the name of Hon. Joseph F. Johnston, of Jefferson county, Alabama, to succeed the Hon. Edmund Winston Pettus as United States Senator from Alabama for the term beginning March 4th, 1909, and those who voted for Mr. Johnston are:

Messrs:

Barbour	Gardner	Horton	Merritt
Bayles	Glenn	Jones	Miller
Blackmon	Hamner	King	Moody
Davis	Hayes	Leith	McWhorter
Doster	Heacock	Lowe	Overton
Forrester	Hinson	Lusk	Reese

Reid
Reynolds
Spragins

Strother
Teasley

Thomas
White

Wilson
Wimberly
—33.

Being a majority of the whole number of votes cast in the Senate.

MESSAGE FROM THE HOUSE.

Mr. President

The House has adopted the following House Joint Resolution:

H. J. R. 348. Whereas, a study of the many and complex problems of transportation which now confront the American people justifies the belief that a favorable solution may be found in the speedy improvement of navigable inland water ways and the important sea-ports of the country, and, whereas, the port of Mobile, is the recognized natural outlet for the growing commerce of a large territory to Cuba, the West Indies and Central and South America, and,

Whereas, the early deepening and maintenance of the channel from said port of Mobile to the Gulf of Mexico to thirty feet is therefore, a great commercial necessity, be it,

Resolved, by the House of Representatives, the Senate concurring, that in the opinion of the Legislature of Alabama, it would be an act of both wisdom and duty if the Federal Congress would hereafter make such liberal appropriations for carrying on the improvements at the port of Mobile as would insure the speedy completion of the work there in conformity with the pressing demands of the growing commerce of said port.

Resolved, further, that a copy of this preamble and resolutions be sent to each of the senators and representatives from this State in the Congress of the United States, with the request that the same be laid before that body, and that such favorable action be urged by said members as will tend to secure hereafter such substantial recognition from the Federal government as is justly due an enterprise of the importance of the one in-

augurated at Mobile many years ago, but the work on which has seemingly not been prosecuted with sufficient rapidity to keep pace with the expanding commerce of that port.

And sends the same herewith to the Senate.

Cyrus B. Brown, Clerk.

HOUSE MESSAGE.

On motion of Mr. Reese the Senate concurred in H. J. R. No. 348, which resolution is set out in full in the foregoing message from the House.

The bill:

H. 987. To impose a tax of one dollar each year on all dogs in the State of Alabama over four months of age, and to provide for the collection of such tax and to provide that all live stock killed or injured and all damages done thereto shall be paid for out of the dog tax fund and to provide that the surplus left in the dog tax fund on the first day of March of each year shall be paid into the public school funds of the county in which said tax was collected.

Was taken up.

The following substitute was offered by the committee.

A BILL

To impose a license tax on all dogs over four months of age in the State of Alabama, and to enforce the collection thereof; and to provide that all taxes and penalties collected under the provisions of this act shall be paid into the public school fund of the county in which said taxes and penalties are collected:

Be it enacted by the Legislature of Alabama:

Section 1. ~~That the county tax assessor shall be required~~ at the time of assessing the property of each property holder of his county as now required by law, to make diligent inquiry as to the number of dogs over four months of age owned, harbored or kept by the person so

assessed. And such person as assessed shall pay to the tax collector at the time of the payment of other taxes the sum of one dollar for each male dog or spayed female dog, and the sum of three dollars for each female dog (unspayed), over four months of age, so owned, harbored or kept. Such license tax shall become due and be delinquent at the same time as state and county taxes.

Section 2. The county tax collector shall give to each person a receipt for such money paid him, which shall be designated as dog tax, which receipt shall show the person's name who owns, harbors or keeps the dog, the amount paid, and the number, description and kind of dogs paid for, and whether male or female, spayed or unspayed, and the number of each, which receipt shall relieve the person or persons owning, keeping or harboring such dogs for the current year. Such collector shall keep a record of the person or persons owning dogs and a record of the dogs paid for. And he shall keep a stub record or copy of the receipt given him for money paid him as dog tax; such stub record shall show the amount paid him, the number of dogs, both male and female, spayed and unspayed, paid for, and the person's name, owning the dogs so paid for. And he shall each year turn over to the county treasurer all money received by him as dog tax.

Section 3. He shall report the amount collected by him as dog tax and turned over to the county treasurer of his county, to the probate judge of his county within three days after making his report to the county treasurer of his county. The probate judge shall make a record of the same, and charge the amount against the county treasurer; as receipts from the dog fund.

Section 4. That any person who shall keep or harbor any dog, and shall not have paid the county tax as above specified on or before January 1st of each year and received his receipt for such payment, shall be deemed guilty of a misdemeanor and upon complaint of any resident of the county and conviction thereof be fined a sum not less than five nor more than twenty dollars.

Section 5. That it shall be the duty of the county tax collector to keep a record of all dogs that shall not be paid for, by whom owned, harbored or kept, and the number of such dogs and the kind, whether male or female, spayed or unspayed, and he shall report the same to the probate judge of his county, at the time of making his other report, as above provided, whose duty it shall be to report the same to the prosecuting attorney of his county, or circuit, or his deputy, who shall bring an action before any court of his county having jurisdiction of misdemeanors, against such persons, and upon conviction thereof the sum of seven and 50-100 dollars shall be taxed as a solicitor's fee, to be paid in like manner as other solicitor's fees in misdemeanor cases.

Provided, that if any person shall acquire, own, harbor, or keep any dog after the assessor shall have completed his assessment, he shall report such dog to and pay to the tax collector of his county the amount of dog tax as above provided, and receive his receipt for the same, which receipt shall exempt him from further payment of dog tax on dogs described in said receipt, until the time of the next collection of taxes in his county.

Section 6. That if any tax assessor, tax collector, or probate judge shall fail to perform the duties as above provided, they shall be deemed guilty of a misdemeanor and shall, on conviction, be liable to a fine of not less than ten nor more than twenty dollars.

Section 7. That every person liable to taxation in any county in the State of Alabama, and residing therein, when listing his property for taxation shall make and subscribe to an oath to the tax assessor, in which he shall state the number of dogs, spayed and unspayed, over the ages of four months, owned, kept or harbored by such person, and any person who shall make a false statement to the assessor, collector or probate judge as to the number, kind and sex of such dogs so owned, kept or harbored by him, shall be guilty of a misdemeanor and on conviction shall be fined in an amount not exceeding one hundred dollars.

Section 8. Any person who shall own, keep or harbor any dog, after he knows that such dog has killed

or maimed, chased or worried any sheep, cattle, horses, swine, or other live stock, shall be fined in a sum not less than ten nor more than fifty dollars.

Provided, this section shall not apply to any dog that has killed or maimed, chased or worried any animal mentioned in this act, when upon the premises or lands in possession of the owner or keeper of said dog.

Section 9. That it shall be a misdemeanor for any person who does not hold the county tax collector's receipt, showing that the required tax has been paid for the same, as provided in this act, to keep, harbor, board or feed, or permit any dog to stay about his, her or their premises, and upon complaint they shall be deemed guilty of a misdemeanor and shall upon conviction be fined not exceeding ten dollars.

Section 10. That any person owning or harboring any female dog, who shall knowingly allow such female dog to run at large, during any period of rutting or when in heat, shall be fined not less than five nor more twenty dollars.

Section 11. That all taxes, fines and penalties collected under the provisions of this act, shall be paid into the county treasuries of the several counties by the officers collecting the same and shall constitute the dog tax fund of said counties. On the first day of March of each year it shall be the duty of the court of county commissioners, or other court of like jurisdiction, to draw a warrant on the county treasurer in favor of the superintendent of education of said county for the amount on hand in the dog tax fund, and it shall be the duty of the treasurers of said counties to pay the same. Such funds shall be disbursed in the same manner as other public school funds of said counties.

Section 12. Any dog returned for taxation the tax on which is paid when due shall be regarded as property, and shall be entitled to the same protection as live stock. The owner of any dog listed for taxation which may be injured or killed contrary to law or carried or enticed away from the premises of the owner or harbored for the purpose of killing or injuring such animal or depriving the owner thereof may recover ex-

emplary damages of the person for so killing, injuring or enticing away such dog. Any person violating the provisions of this section shall be liable to prosecution as in case of injuring live stock or other personal property of another.

Section 13. The assessors and collectors of the several counties of the State shall receive the same compensation for assessing and collecting the dog tax as they receive for assessing and collecting State and county taxes.

Section 14. That all laws and parts of laws in conflict herewith are hereby repealed.

Mr. Hamner offered the following amendment:

Amend by adding to section 1, "Provided there shall be exempted from the provisions of this bill, one dog to each family in the State.

Mr. Teasley moved to lay Mr. Hamner's amendment on the table which was lost.

Ayes, 14; nays, 17.

Yeas:

Messrs:

Blackmon	Hayes	Jones	Spragins
Forrester	Heacock	King	Teasley
Glenn	Hinson	Reese	White
Gunn	Horton		

—14.

Nays:

Messrs:

Barbour	Hamner	Miller	Reynolds
Bayles	Leith	Moody	Strother
Doster	Lowe	McWhorter	Thomas
Gardner	Merritt	Overton	Wilson

—16.

And the amendment was lost.

Ayes, 14; nays, 17..

Yeas:

Messrs:

Barbour	Leith	Moody	Strother
Bayles	Lowe	McWhorter	Thomas
Gardner	Merritt	Reynolds	Wimberly
Hamner	Miller		

—14.

Nays:

Messrs:

Blackmon	Gunn	Jones	Spragins
Davis	Hayes	King	Teasley
Doster	Heacock	Overton	White
Forrester	Horton	Reese	Wilson
Glenn			

—17.

Mr. Reynolds offered the following amendment:

Amend section II by striking out the words beginning "on the 1st day of March of each year" and ending with the words "of said counties," and insert in lieu thereof these words, "the court of county commissioners shall determine by appropriate order whether the dog tax funds shall be applied to the benefit of the public schools or to the public roads of their respective counties and said funds shall be so applied."

Which was laid upon the table upon the motion of Mr. Teasley.

Ayes, 19; nays, 10.

Yeas:

Messrs:

Bayles	Gunn	King	Thomas
Blackmon	Hayes	Overton	White
Davis	Heacock	Reese	Wilson
Forrester	Horton	Spragins	Wimberly
Glenn	Jones	Teasley	

—19.

Nays:

Messrs:

Barbour	Jones	Merritt	Reynolds
Gardner	Leith	Miller	Strother
Hamner	Lowe	Moody	

--10.

Mr. Gardner offered the following amendment:

Amend by adding section ---.

Provided, however, that the provision of this act shall become effective in any county in this State until a petition signed by a majority of the qualified elector of such county, he presented to the commissioners court of such county asking that the provision of this act be put into

force, and said commissioners court shall upon receipt of such petition so signed by a majority of the qualified electors of such county put same into force by proclamation.

Which was laid on the table upon the motion of Mr. Teasley.

Ayes, 19; nays, 12.

Yeas:

Messrs:

Bayles	Gunn	King	Teasley
Blackmon	Hayes	Moody	Thomas
Davis	Hinson	McWhorter	White
Forrester	Horton	Reese	Wimberly
Glenn	Jones	Spragins	

---19.

Nays:

Messrs:

Barbour	Hamner	Merritt	Strother
Doster	Leith	Miller	Wilson
Gardner	Lowe	Reynolds	

---11.

Mr. Reynolds offered the following amendment:

Amend by adding at the end of the bill these words:

Provided in each family one boy of the age of ten to fifteen years shall be allowed one dog free of tax.

Which was laid upon the table upon the motion of Mr. Teasley.

Mr. Gardner offered the following amendment:

Amend by adding section ---.

Provided, however, that the provision of this act shall not be in force in any county until the commissioners court or board of revenue of such county shall order and provide for an election to be held in such county that the qualified electors of such county may vote on question of "Dog Tax" or "No Dog Tax," and until the commissioners court or board of revenue shall proclaim that such election has been held and that a majority of the

qualified electors of such county had voted in favor of said dog tax.

Which was laid upon the table.

Yeas, 18; nays, 13.

Yeas:

Messrs:

Bayles	Gunn	Jones	Spragins
Blackmon	Hayes	King	Teasley
Davis	Heacock	Overton	Wilson
Forrester	Hinson	Reese	Wimberly
Glenn	Horton		

---18

Nays:

Messrs:

Barbour	Leith	Miller	Reynolds
Doster	Lowe	Moody	Strother
Gardner	Merritt	McWhorter	Thomas
Hamner			

---13.

And the amendment offered by the committee was adopted.

Yeas, 17; nays, 14.

Yeas:

Messrs:

Blackmon	Hayes	Jones	Spragins
Davis	Heacock	King	Teasley
Doster	Hinson	Overton	Wilson
Glenn	Horton	Reese	Wimberly
Gunn			

--17.

Nays:

Messrs:

Barbour	Hamner	Miller	Reynolds
Bayles	Leith	Moody	Strother
Forrester	Lowe	McWhorter	Thomas
Gardner	Merritt		

--14.

Mr. Gardner offered the following amendment:

Amend bill by striking out section 5 and section 6.

Which was laid upon the table upon the motion of Mr. Teasley.

Mr. Merritt offered the following amendment:

Amend by adding that the provisions of this bill shall not take effect until Jan. 1910.

Which was laid upon the table upon the motion of Mr. Teasley.

Yeas, 16; nays, 14.

Yeas:

Messrs:

Blackmon	Hayes	Jones	Spragins
Davis	Heacock	King	Teasley
Glenn	Hinson	Overton	Wilson
Gunn	Horton	Reese	Wimberly

---16.

Nays:

Messrs:

Barbour	Hamner	Miller	Reynolds
Bayles	Leith	Moody	Strother
Doster	Lowe	McWhorter	Thomas
Gardner	Merritt		

---14.

And the bill as amended was read a third time at length and passed.

Yeas, 16; nays, 14.

Yeas:

Messrs:

Blackmon	Gunn	Horton	Reese
Davis	Hayes	Jones	Spragins
Forrester	Heacock	King	Teasley
Glenn	Hinson	Overton	Wimberly

---16.

Nays:

Messrs:

Barbour	Leith	Moody	Strother
Bayles	Lowe	McWhorter	Thomas
Gardner	Merritt	Reynolds	Wilson
Hamner	Miller		

---14.

The bill :

H. 300. To regulate the jurisdiction of suits against non-residents or foreign corporations upon causes of action arising outside of the State, and the service of process on such non-residents or foreign corporations.

Was taken up.

Mr. Thomas moved to lay the bill on the table which was carried.

Yeas, 15; nays, 14.

Yeas:

Messrs:

Barbour	Hayes	King	Teasley
Blackmon	Heacock	Moody	Thomas
Forrester	Hinson	Reese	Wimberly
Glenn	Jones	Spragins	

--15.

Nays:

Messrs:

Bayles	Horton	Overton	Strother
Davis	Leith	Reid	White
Doster	Lusk	Reynolds	Wilson
Hamner	Merritt		

--14.

BILL FROM ADVERSE CALENDAR.

Mr. Reid pursuant to notice heretofore given under the rules moved to take

H. 1092. For the relief of J. W. Angle,

From the adverse calendar, which was carried.

RECOMMITTAL OF BILL.

On motion of Mr. Gunn,

H. 229. To provide for official stenographic reporters in the several circuit courts of the State of Alabama, and to provide for their compensation and prescribe their duties, and provide a penalty for the violation of the provisions of this act.

Was taken from an adverse report and re-referred to the committee on Finance and Taxation.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 384. To provide for the establishment of high schools in this State, and to make appropriations for said schools.

And returns same herewith to the Senate.

Cyrus B. Brown, Clerk.

HOUSE MESSAGE.

On motion of Mr. Barbour the Senate concurred in the House amendment to Senate bill 384, the title to which appears in the foregoing message from the House, said amendment being as follows:

Amend section 3 by inserting after the word "site" in line 3 the words "which shall consist of not less than five acres of land the title of the surface of which shall be in fee but the land need not include mineral rights."

Amend bill by striking out section 2 of said bill.

Amend section 1 by striking out all of section 1 after word state, and inserting in lieu of the words stricken out the following; Provided that a high school shall not be established under the provisions of this act in any county in which there are already established an agricultural school, normal school for white people, the Polytechnic Institute, the University of Alabama, the Industrial School for White Girls or a high school free to all the children of the county, until after a high school has been established in all the other counties.

Amend section 3, by striking out the words "except those heretofore excepted" in lines 1 and 2 of said section 3.

Yeas, 23; nays, 4.

Yeas:

Messrs:

Barbour
Davis

Forrester
Gardner

Glenn
Hamner

Hayes
Heacock

Horton	Miller	Reese	Thomas
Jones	Moody	Reid	Wilson
King	McWhorter	Reynolds	Wimberly
Merritt	Overtou	Teasley	
—23.			
Nays:			
Messrs:			
Bayles	Leith	Spragins	Strother
—4.			

RECESS.

The hour of one o'clock having arrived the Senate took a recess until three o'clock.

AFTERNOON SESSION.

Tuesday, August 6th, 1907.

The Senate reassembled at 2.30 o'clock P. M.

ROLL CALL.

On a call of the roll a quorum of the Senate was present.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has adopted the following Joint Resolution:

H. J. R. 353. Be it resolved by the Legislature of Alabama, That the Speaker of the House and the President of the Senate be and they are hereby requested to erase their signatures from the bill, H. 133, in order that the same may be correctly enrolled.

And sends same herewith to the Senate.

C. B. Brown, Clerk.

HOUSE MESSAGE.

On motion of Mr. Lusk the Senate concurred in H. J. R. 353, which is set out in full, in the foregoing message from the House.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in the Senate amendment to the bill H. 1206. To make an enumeration, or census, of the confederate soldiers residing in the State of Alabama, and to provide for the payment thereof, and has non-concurred in Senate amendment to H. B. 987, and herewith returns same to the Senate.

And,

In accordance with a joint resolution heretofore adopted the Speaker of the House has erased his signature from the bill, House 133 and you are requested to erase your signature from the said bill.

Cyrus B. Brown, Clerk.

HOUSE MESSAGE.

On motion of Mr. Teasley the Senate insisted on its amendments to House bill No. 987, and requested a committee of conference. Whereupon the President appointed as a committee on the part of the Senate Messrs. Tassly, Spragins and Overton.

And, in accordance with the joint resolution heretofore adopted and in compliance with the request contained in the foregoing message from the House,

The President of the Senate in the presence of the Senate erased his signature from House bill No. 133.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has received the accompanying message from His Excellency, the governor proposing an amendment to

H. 1165. To amend "an act entitled an act to establish a separate school district, to be known as the Elba School District, in Coffee county, Alabama, and to provide for the management of the public schools in said district, approved Feb. 28, 1901, as amended by an act approved Sept.. 28, 1908.

And the House has concurred in and adopted the amendment proposed by the Governor by a majority vote of the whole House; the vote on said amendment being

Yeas, 58; nays, 0.

And herewith sends same to the Senate.

Cyrus B. Brown, Clerk.

Chief Executive Department,
Alabama.

To the House of Representatives:

It having been suggested to me that section 1 of House bill 1165 is probably unconstitutional—said bill being entitled an act to amend an act entitled an act to establish a separate school district in Coffee county, Alabama, and to provide for the management of the public schools in said district, approved Feb. 28, 1901, as amended by an act approved Sept. 28, 1903; I herewith return said bill and suggest the following amendment thereto, which will remove the objection, viz:

1. Amend section 1 of the bill by striking out the words: "That the State Superintendent of Education shall apportion and pay over at the beginning of each fiscal year of the state to the treasurer of the town of Elba" and by substituting therefor the following words: "The County Board of Education shall apportion to the town of Elba the school funds in the same manner that the funds are apportioned to other districts and the county superintendent shall pay to the treasurer of the town of Elba."

B. B. Comer, Governor.

HOUSE AND GOVERNOR'S MESSAGE.

On motion of Mr. Gardner the Senate concurred in and adopted the amendment proposed by the governor to House bill No. 1165, the title to which appears in the foregoing message from the House, and the amendment as proposed by the governor appears in the foregoing message from the Governor.

Yeas, 28; nays, 0.

Yeas:

Messrs:

Barbour	Glenn	King	Overton
Bayles	Gunn	Leith	Reynolds
Blackmon	Hamner	Lowe	Strother
Davis	Heacock	Lusk	Thomas
Doster	Hinson	Merritt	White
Forrester	Horton	Miller	Wilson
Gardner	Jones	McWhorter	Wimberly

—28.

Which was a majority of the whole number elected to the Senate.

REPORT FROM THE COMMITTEE ON ENROLLED BILLS.

Mr. President:

The committee on Enrolled Bills report that they have examined the following Senate bill:

S. 384. To provide for the establishment of high schools in this State, and to make appropriations for said schools.

And find same to be correctly enrolled.

Frankk S. Moody, Chairman.

SIGNING BILL.

The President of the Senate in the presence of the Senate, immediately after the title had been publicly read at length by the secretary, signed the above Senate bill, the title of which is set out in the foregoing report from the committee on Enrolled Bills. The reading at length of said bill having been dispensed with, by a two-thirds vote of a quorum of the Senate present.

BILL TABLED.

On motion of Mr. Miller,

The Bill:

H. 728. To repeal an act in so far as it relates to Washington county, approved December 13th, 1894, en-

titled an act to repeal section 4 of an act to prescribe the manner of electing county commissioners of Pike, Bullock, Washington, Baldwin, Butler, Choctaw, Fayette, Shelby, DeKalb, and Pickens counties, approved January 30th, 1893, and to prescribe the manner of electing the commissioners in said counties.

Was laid on the table.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following Senate bills:

S. 363. To amend section 2240 of the code of Alabama of 1896, and to appropriate the sum of six hundred dollars for the secretary of the Senate and the Clerk of the House, respectively, for filing and arranging the papers of their respective houses in the office of the secretary of State and copy and deliver to the public printer the journals of their respective houses, with proper indexes thereto.

S. 343. To require and regulate the giving of bills of lading or receipts for property received by any common carrier, railroad or transportation company for transportation, originating and terminating within this State, and to fix the liability of the initial carrier for any loss, injury or damage to such property, and prohibit the limitation of such liability by contract.

S. 398. To further prescribe the powers of the railroad commission of Alabama and to authorize it to change any classification of railroads or of any articles of freight, or any rates or charges for the transportation of freight or passengers which have been, or which may hereafter be, prescribed by statute, or any prevailing rates or charges for such transportation which have been, or which may hereafter be, by statute made the maximum rates.

S. 399. To amend sections 2, 3, and 4 of an act entitled "An act to regulate railroads and other common carriers in this State, to secure reasonable rates and adequate service and prevent unjust discrimination in

their public service; and prescribed penalties for violation thereof" approved February 23, 1907.

S. 603. To reimburse the governor's contingent fund the amount expended therefrom in paying the funeral expenses of the late William L. Martin, who at the time of his death was Speaker of the House of Representatives, and to make an appropriation therefor.

And herewith returns same to the senate.

Cyrus B. Brown, Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bills

S. 513. To amend an act to provide for the inspection of jails and alms houses and cotton mills or factories approved March 4, 1907, by adding section 12, to provide for a clerk to the inspector and for office expenses of the inspector.

S. 520. To amend an act entitled "An act to create a railroad commission to be known as the "Railroad Commission of Alabama," define its duties and powers and provide for its mode of procedure and prescribe penalties for violation of its orders," approved the 23rd day of February, 1907.

S. 347. To establish and maintain a State sanatorium for consumption and tuberculosis, and to provide for disseminating information upon the nature, treatment and cure of tubercular diseases, and to make appropriations therefor.

And herewith returns same to the Senate.

Cyrus B. Brown, Clerk.

HOUSE MESSAGE.

On motion of Mr. Lusk the Senate concurred in the House amendment to

S. 513. The title to which is set out in the foregoing message from the House, said amendment being as follows:

A BILL

To be entitled an act to amend an act to provide for the inspection of jails, and alms houses, and cotton mills, by adding section 12, to provide stationery and for office expenses.

Section 1. Be it enacted by the Legislature of Alabama: That an act to provide for the inspection of jails and alms houses and cotton mills or factories, approved March 4, 1907, be amended by adding thereto this section:

12. All stationery, furniture, and other office supplies shall be furnished to the office of the inspector, as such supplies are now furnished to other officers in the capitol.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Lowe	Reynolds
Bayles	Hamner	Lusk	Strother
Blackmon	Hayes	Merritt	Teasley
Davis	Heacock	Miller	Thomas
Doster	Horton	Moody	White
Forrester	Jones	Reese	Wilson
Gardner	King	Reid	Wimberly.
Glenn			

—29.

On motion of Mr. Lusk the Senate concurred in the House amendment to Senate bill No. 520, the title to which is set out in the foregoing message from the House.

Said amendment being as follows:

Also,

Amend by adding at end of section 1 by adding at end thereof "and also all telegraph and telephone lines" operating in more than one city or town.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Leith	Reese
Bayles	Hamner	Lowe	Reynolds
Blackmon	Heacock	Lusk	Spragins
Davis	Hinson	Merritt	Strother
Doster	Horton	Moody	Teasley
Forrester	Jones	McWhorter	Thomas
Gardner	King	Overton	Wilson
Glenn			

—29.

On motion of Mr. Reese the Senate concurred in the House amendment to Senate bill No. 347. The title to which appears in the foregoing message from the House.

Said amendment being as follows:

Amend section 11, by striking out the whole of the second sentence thereof beginning with the words: "The board of such indigent inmates"—and ending with the words:—"paid by said county", and further amend section 11 by restoring thereto the last eight lines in the original bill, beginning with the words: "The Trustees" and ending with the words—"Board of Trustees."

Amend section 13, by adding thereto these words:—"All of the sum appropriated for the year ending on the 30th day of September, 1907, may be paid after that date and shall be available till used by the trustees for the purposes for which it was appropriated."

Yeas, 29; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	King	Overton
Bayles	Hamner	Leith	Reese
Blackmon	Hayes	Lusk	Reid
Davis	Heacock	Merritt	Spragins
Doster	Hinson	Miller	Teasley
Forrester	Horton	Moody	Thomas
Gardner	Jones	McWhorter	Wimberly
Glenn			

—29.

BILLS ON THIRD READING.

The Bill:

H. 218. To prohibit the display of nude pictures of a man, woman or girl in any public place except art galleries.

Was read a third time at length and passed.

Yeas, 30; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Lowe	Spragins
Bayles	Hamner	Lusk	Strother
Blackmon	Hayes	Miller	Teasley
Davis	Heacock	Moody	Thomas
Doster	Horton	McWhorter	White
Forrester	Jones	Reid	Wilson
Gardner	King	Reynolds	Wimberly
Glenn	Leith		

—30.

The Bill:

H. 1201. To regulate and prescribe the manner of electing commissioners in the county of Walker fix their compensation and provide for holding regular, special and adjourned terms of the court of county commissioners.

Was read a third time, at length, and passed.

Yeas, 30; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Leith	Reid
Bayles	Hamner	Lowe	Reynolds
Blackmon	Hayes	Merritt	Spragins
Davis	Heacock	Miller	Strother
Doster	Hinson	McWhorter	Teasley
Forrester	Horton	Overton	Thomas
Gardner	Jones	Reese	Wimberly
Glenn	King		

—30.

The Bill:

H. 1349. Authorizing the recovery and requiring the refund of any money erroneously paid or collected for taxes, whether under compulsion or protest or not.

Was taken up.

Mr. Barbour offered the following amendment:

Amend by striking out the words six years where they occur and insert in lieu thereof two years.

Which was laid upon the table upon the motion of Mr. Miller.

Ayes, 22; nays, 6.

Yeas:

Messrs:

Bayles	Hayes	Leith	Overton
Davis	Heacock	Merritt	Reid
Forrester	Hinson	Miller	Reynolds
Glenn	Horton	Moody	Spragins
Gunn	Jones	McWhorter	Wimberly
Hamner	King		

—22.

Nays:

Messrs:

Barbour	Lusk	Thomas	Wilson
Gardner	Reese		

—6.

And the bill,

Was read a third time at length and passed.

Yeas, 25; nays, 2.

Yeas:

Messrs:

Barbour	Heacock	Lowe	Reid
Bayles	Hinson	Miller	Reynolds
Davis	Horton	Moody	Spragins
Forrester	Jones	McWhorter	Teasley
Gunn	King	Overton	White
Hamner	Leith	Reese	Wimberly
Hayes			

—25.

Nays: Lusk, Wilson—2.

The Bill:

H. 984. To fix the salary of the judge and associate judge of the city court of Montgomery.

Was read a third time at length and passed.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	King	Overton
Bayles	Hamner	Leith	Reese
Blackmon	Hayes	Lowe	Reynolds
Davis	Heacock	Merritt	Spragins
Doster	Hinson	Miller	Teasley
Forrester	Horton	Moody	Thomas
Gardner	Jones	McWhorter	Wimberly
Glenn			

—29.

The Bill:

H. 192. To amend section 5001 of the criminal code, and to provide for the organization of a grand jury at adjourned term of the circuit or city courts.

Was read a third time at length and passed.

Yeas, 30; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Leith	Reynolds
Bayles	Hamner	Lowe	Spragins
Blackmon	Hayes	Lusk	Strother
Davis	Heacock	Merritt	Teasley
Doster	Hinson	Miller	White
Forrester	Horton	Moody	Wilson
Gardner	Jones	McWhorter	Wimberly
Glenn	King		

—30.

The Bill:

H. 1305. To fix the salary of the county treasurer of Walker county, Alabama.

Was read a third time at length and passed.

Yeas, 39; nays, 1.

Yeas:

Messrs:

Barbour	Gunn	Leith	Spragins
Bayles	Hayes	Lowe	Strother
Blackmon	Heacock	Merritt	Teasley
Davis	Hinson	Miller	Thomas
Doster	Horton	McWhorter	White
Forrester	Jones	Reese	Wilson
Gardner	King	Reynolds	Wimberly
Glenn			

—29.

Nays: Mr. Lusk.—1.

The Bill:

H. 1271. To amend an act entitled "an act to establish the Morgan county law and equity court; to create and define its jurisdiction; to provide its officers, their powers, duties and compensation; to fix the terms of said court; and to prescribe rules and procedure for said court," approved Feb. 25, 1907; by adding section 37, providing that the judge of the said Morgan county law and equity court be authorized and empowered to direct the sheriff of Morgan county to appoint a sufficient number of deputies to serve the process of this court and perform other necessary and proper duties and to provide for the compensation of the sheriff, deputies and janitor for said court; and by adding section 38, providing for the trial of all causes removed to the Morgan county law and equity court from any other court in Morgan county, and by adding section 39, providing that a session of said court may be held at any time, for such purpose as the judge of the court may determine, and for which petit and grand jurors may be summoned and empaneled and by adding section 40, providing for rendering final judgment upon forfeited bonds; and by adding section 41, providing for the investigation of charges against any defendant in the county court of Morgan county, Ala., by the grand jury of the Morgan county law and equity court.

Was read a third time at length and passed.

Yeas, 30; nays, 0.

Yeas :

Messrs :

Barbour	Gunn	Leith	Reese
Bayles	Hamner	Lowe	Reynolds
Blackmon	Hayes	Lusk	Spragins
Davis	Heacock	Merritt	Teasley
Doster	Hinson	Miller	White
Forrester	Horton	Moody	Wilson
Gardner	Jones	Overton	Wimberly
Glenn	King		

—30.

The Bill :

H. 1337. To require the sheriff of Lawrence county to procure from the office of the United States internal revenue collector for the State of Alabama, a list of persons, firms or corporations in Lawrence county, to whom licenses have been issued for the sale of spirituous, vinous, or malt liquors and to publish the same in some newspaper, published in said county.

Was read a third time at length and passed.

Yeas, 29 ; nays, 0.

Yeas :

Messrs :

Barbour	Hayes	Lowe	Reynolds
Bayles	Heacock	Merritt	Spragins
Blackmon	Hinson	Miller	Strother
Davis	Horton	Moody	Thomas
Forrester	Jones	McWhorter	White
Gardner	King	Reese	Wilson
Glenn	Leith	Reid	Wimberly
Hamner			

—29.

The Bill :

H. 1344. To authorize the county board of education of Chambers county to establish a high school anywhere in the county.

Was read a third time at length and passed.

Yeas, 29 ; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Leith	Reid
Bayles	Hamner	Lowe	Reynolds
Blackmon	Heacock	Merritt	Spragins
Davis	Hinson	Moody	Strother
Doster	Horton	McWhorter	Teasley
Forrester	Jones	Overton	Thomas
Gardner	King	Reese	Wilson
Glenn			

—29.

The Bill:

H. 1242. To establish an inferior court in precinct 45, in Jefferson county, Alabama, in lieu of all justices of the peace and notaries public, with powers of justices of the peace, in said precinct, and to define the jurisdiction and powers of said court and of the judges thereof.

Was read a third time at length and passed.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Leith	Reynolds
Bayles	Hayes	Merritt	Spragins
Blackmon	Heacock	Miller	Strother
Davis	Hinson	Moody	Teasley
Doster	Horton	Overton	Thomas
Forrester	Jones	Reese	White
Gardner	King	Reid	Wilson
Gunn			

—29.

The Bill:

H. 360. To prohibit the selling, giving away or otherwise disposing of spirituous, vinous or malt liquors or other intoxicating liquors or beverages in any of the voting precincts of Grenshaw county, Alabama, and to make it unlawful for the probate judge of said county to issue licenses to any person, firm or corporation to sell, give away or otherwise dispose of spirituous, vinous or malt liquors or other intoxicating liquors or beverages in any precinct of said county until the proposition shall have been first submitted to the qualified voters of the

precinct in which the aforesaid liquors are to be sold, given away or otherwise disposed of, and to provide for an election therefor and the expense of holding an election and to punish the violations of the provisions of this act.

Was taken up.

The following amendment was offered by the committee.

Amend by adding the following section:

Section 9. That all laws and parts of laws in conflict with any of the provisions of this act be and the same are hereby repealed.

Which was adopted..

Ayes, 29; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	King	Reynolds
Bayles	Hamner	Leith	Spragins
Blackmon	Hayes	Lowe	Strother
Davis	Heacock	Lusk	Teasley
Doster	Hinson	Merritt	Thomas
Forrester	Horton	Moody	Wilson
Gardner	Jones	Overton	Wimberly
Glenn			

—29.

And the bill as thus amended was read a third time at length and passed.

Ayes, 29; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Leith	Reid
Bayles	Hamner	Lowe	Reynolds
Blackmon	Hayes	Lusk	Strother
Davis	Heacock	Merritt	Teasley
Doster	Hinson	Moody	Thomas
Forrester	Horton	Overton	Wilson
Gardner	King	Reese	Wimberly
Glenn			

—29.

The Bill :

H. 1090. To create the Sixteenth judicial circuit for the State of Alabama, to be composed of the counties of Blount, Etowah and St. Clair, to confer equity jurisdiction on said court as to matters arising in Blount and St. Clair counties, and to provide for registers in chancery therein; to provide for the appointment and election of a judge and solicitor for said circuit and fix their salaries, and for the removal of pending causes and for the remanding of pending appeals to the new court; to regulate the convening of grand and petit juries in said circuit and to authorize the judge of said circuit to adopt reasonable rules of practice to facilitate the business of the courts therein; to fix the time of holding courts in said circuit, and places at which such courts shall be held and to require that a jury be demanded in civil causes.

Was taken up.

The following amendment was offered by the committee.

Amend H. 1090 as follows:

Amend Sec. 3 by striking out the words "Except Etowah County" where they occur in line (3) three of said section.

Amend section 3 further, by striking out all of line six, and all of the latter part of line five, beginning with the word "provided."

Amend Sec. 7 so as to make it read as follows:

Sec. 7. That all cases and court business now pending in the circuit courts of the counties of Blount, St. Clair, and Etowah, shall be and the same are hereby transferred to the circuit created by this act, in each of the respective counties named, and shall be there disposed of in the same manner and with like effect as if the same had been instituted therein.

Which was adopted.

Ayes, 29; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	King	Reese
Bayles	Hamner	Leith	Reynolds
Blackmon	Hayes	Lowe	Spragins
Davis	Heacock	Merritt	Strother
Doster	Hinson	Miller	Thomas
Forrester	Horton	Moody	Wilson
Gardner	Jones	Overton	Wimberly
Glenn			

—29.

And the bill as thus amended,
Was read a third time at length and passed.

Yeas, 29; nays, 1.

Yeas:

Messrs:

Barbour	Gunn	King	Reid
Bayles	Hamner	Leith	Reynolds
Blackmon	Hayes	Lowe	Spragins
Davis	Heacock	Merritt	Strother
Doster	Hinson	Moody	Teasley
Forrester	Horton	Overton	White
Gardner	Jones	Reese	Wimberly
Glenn			

—29.

Nays: Mr. Lusk.—1.

The Bill:

H. 1386. To amend section two (2) of an act entitled, "An act to regulate the practice in the circuit court of Calhoun county," approved 12th day of March, 1907.

Was read a third time at length and passed.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Barbour	Forrester	Heacock	Lowe
Bayles	Gardner	Hinson	Lusk
Blackmon	Glenn	Horton	Merritt
Davis	Gunn	King	Miller
Doster	Hamner	Leith	Moody

McWhorter	Reid	Spragins	Thomas
Overton	Reynolds	Teasley	Wilson
Reese			

—29.

The Bill:

H. 936. To propose an amendemnt to the constitution of the State of Alabama, for the purpose of providing for the formation and establishing of new counties out of portions of one, two or more counties as may be desired.

Mr. Miller offered the following amendment:

Amend said bill by adding next after the words "at an election to be called and held under the direction of said judge and commissioners for that purpose, and which election shall be held under and governed by the general election laws of the State" the following words, to-wit, "Provided that the county site of any new county formed hereunder shall not be located within ten miles of the line of such new county nor in any city or town which is within ten miles of the line of such new county."

Which on motion of Mr. Reese was laid on the table.

Ayes, 26; nays, 7.

Yeas:

Messrs:

Bayles	Hamner	Lowe	Strother
Blackmon	Hayes	Lusk	Teasley
Davis	Heacock	McWhorter	Thomas
Doster	Hinson	Reese	White
Forrester	Horton	Reynolds	Wilson
Gardner	King	Spragins	Wimberly
Gunn	Leith		

—26..

Nays:

Messrs:

Barbour	Jones	Miller	Moody
Glenn	Merritt		

—7.

Mr. Spragins offered the following amendment:

To amend after adding the word "County" in the second line of the second page, in section 1, of the bill

the following words; "and by the qualified electors of the counties from which the new county is to be taken."

Which was laid upon the table upon the motion of Mr. Lusk.

And the bill,

Was read a third time at length and passed.

Yeas, 23; nays, 7.

Yeas:

Messrs:

Bayles	Gunn	Leith	Teasley
Blackmon	Hamner	Lowe	Thomas
Davis	Hayes	Lusk	White
Doster	Hinson	McWhorter	Wilson
Forrester	Horton	Reese	Wimberly.
Gardner	King	Reynolds	

—23.

Nays:

Messrs:

Barbour	Heacock	Moody	Spragins
Glenn	Miller		

—7.

The Bill:

H. 590. To amend an act entitled an act to amend section 4730 of the criminal code of 1896, approved October 1st, 1903.

Was taken up.

Mr. Reynolds offered the following amendment:

Add after section 1 of the bill these words:

And as a part of the fine the court may assess the amount of money or value of the goods which the tenant so obtained which shall go to the party injured.

Which was lost.

Ayes, 9; nays, 15.

Yeas:

Messrs:

Bayles	Horton	Reynolds	Thomas
Blackmon	Leith	Spragins	Wimberly.
Gardner			

—9.

Nays:

Messrs:

Barbour	Hayes	Miller	Strother
Glenn	Jones	Moody	White
Gunn	Lusk	Overton	Wilson
Hamner	Merritt	Reese	

—15.

Mr. Hinson offered the following amendment:

To amend by striking out the words "As if he had stolen it" wherever they occur and inserting in lieu thereof "by a fine in double the damage suffered by the injured party, but not more than \$300, one-half of said fine to go to the county and one-half to the party injured."

Which was adopted.

Ayes, 22; nays, 5.

Yeas:

Messrs:

Blackmon	Gunn	Leith	Spragins
Davis	Hayes	Lowe	Strother
Doster	Hinson	Lusk	Thomas
Forrester	Horton	Reese	White
Gardner	Jones	Reynolds	Wimberly
Glenn	King		

—22.

Nays:

Messrs:

Hamner	Merritt	Miller	Teasley
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—5.

Mr. Reese offered the following amendment:

Amend by striking out in lines 13 and 14 "or to cultivate such land."

Which was lost.

Ayes, 11; nays, 18.

Yeas:

Messrs:

Forrester	Jones	Lusk	Reid
Glenn	Leith	Moody	Wilson
Gunn	Lowe	Reese	

—11.

Nays:

Messrs:

Barbour	Hamner	McWhorter	Strother
Blackmon	Hinson	Overton	Teasley
Davis	Horton	Reynolds	Thomas
Doster	King	Spragins	White
Gardner	Merritt		

—18.

Mr. Reid offered the following amendment:

“Amend the bill by striking out all of that part of the bill after the words “personal property” in the ninth line of said bill.

Which was laid upon the table upon the motion of Mr. Thomas.

Yeas, 20; nays, 10.

Yeas:

Messrs:

Bayles	Gardner	King	Teasley
Blackmon	Hamner	Merritt	Thomas
Davis	Hinson	Overton	White
Doster	Horton	Spragins	Wilson
Forrester	Jones	Strother	Wimberly

—20.

Nays:

Messrs:

Barbour	Leith	Miller	McWhorter
Glenn	Lowe	Moody	Reid
Gunn	Lusk		

—10.

Mr. Leith offered the following amendment:

Amend by adding after the words acts or service the following: (or if the employer knowingly fails to perform any part of the contract with the employee.)

Which on motion of Mr. Thomas was laid upon the table.

Ayes, 17; nays, 14.

Yeas:

Messrs:

Bayles	Davis	Forrester	Hinson
Blackmon	Doster	Hamner	Horton

Jones	Reid	Strother	Thomas
King	Spragins	Teasley	White
Merritt			

—17.

Nays:

Messrs:

Barbour	Lowe	Moody	Reid
Glenn	Lusk	McWhorter	Wilson
Gunn	Miller	Overton	Wimberly
Leith			

—13.

And the bill as thus amended,
Was read a third time at length and passed.
Yeas, 20; nays, 12.

Yeas:

Messrs:

Bayles	*Gardner	Jones	Spragins
Blackmon	Hamner	King	Strother
Davis	Hayes	Merritt	Teasley
Doster	Hinson	Overton	Thomas
Forrester	Horton	Reynolds	White

—20.

Nays:

Messrs:

Barbour	Leith	Miller	Reid
Glenn	Lowe	Moody	Wilson
Gunn	Lusk	McWhorter	Wimberly

—12.

The Bill:

H. 916. To establish a high school for Dale county,
to be located at Ozark, Alabama.

Was taken up.

Mr. Barbour offered the following amendment:

Amend Sec. 2 by striking out the words "Five Thousand Dollars" and insert in lieu thereof the words "Two Thousand Dollars."

Which on motion of Mr. Davis was laid upon the table.

Ayes, 18; nays, 11.

Yeas:

Messrs:

Blackmon	Hayes	Merritt	Teasley
Davis	Hinson	Overton	Thomas
Gardner	Horton	Reese	White
Glenn	Jones	Reid	Wimberly
Hamner	Leith		

—18.

Nays:

Messrs:

Barbour	Lowe	Moody	Strother
Bayles	Lusk	Reynolds	Wilson
Doster	Miller	Spragins	

—11.

Mr. Reynolds offered the following amendment:

Add at the end of the bill these words:

"No State High School shall be established at any point in said county by the operation of any general high school law passed at this session of the Legislature.

Which on motion of Mr. Thomas was laid upon the table.

Ayes, 16; nays, 14.

Yeas:

Messrs:

Blackmon	Hayes	Leith	Reese
Davis	Hinson	Merritt	Teasley
Gardner	Horton	McWhorter	Thomas
Glenn	Jones	Overton	White

—16.

Nays:

Messrs:

Barbour	Lowe	Reid	Strother
Bayles	Lusk	Reynolds	Wilson
Doster	Miller	Spragins	Wimberly
Hamner	Moody		

—14.

Mr. Barbour offered the following amendment:

Strike out the words, "High School" in wherever they occur in caption and body of bill and insert in lieu thereof the words, "public school."

Which on motion of Mr. Davis was laid upon the table.

Ayes, 20; nays, 10.

Yeas:

Messrs:

Bayles	Hayes	Merritt	Reynolds
Blackmon	Hinson	Moody	Teasley
Davis	Horton	Overton	Thomas
Gardner	Jones	Reese	White
Glenn	Leith	Reid	Wimberly

—20.

Nays:

Messrs:

Barbour	Lowe	McWhorter	Strother
Doster	Lusk	Spragins	Wilson
Hamner	Miller		

—10.

Mr. Reynolds offered the following amendment:

Add at the end of the bill these words:

Nothing but the high school branches shall be taught in said school.

Which on motion of Mr. Davis was laid upon the table.

Mr. Barbour offered the following amendment:

Amend by striking out "High" where it occurs in caption and bill and insert in lieu therein the word "Normal."

Which on motion of Mr. Davis was laid upon the table.

Ayes, 15; nays, 11.

Yeas:

Messrs:

Davis	Horton	Overton	Thomas
Gardner	Jones	Reese	White
Glenn	Leith	Reid	Wimberly
Hayes	Merritt	Teasley	

—15.

Nays:

Messrs:

Barbour	Lowe	Moody	Spragins
Bayles	Lusk	McWhurter	Strother
Doster	Miller	Reynolds	—11.

Mr. Barbour offered the following amendment:

Amend by adding to the last section of the bill:

Provided that this bill shall not become operative until all the counties of the State shall have a high school under the general bill providing for high schools in the State of Alabama.

Which upon motion of Mr. Davis was laid upon the table.

Yeas, 16; nays, 12.

Yeas:

Messrs:

Blackmon	Hayes	Leith	Reid
Davis	Hinson	Merritt	Teasley
Gardner	Horton	Overton	Thomas
Glenn	Jones	Reese	Wimberly
			—16.

Nays:

Messrs:

Barbour	Hamner	Miller	Spragins
Bayles	Lowe	Moody	Strother
Doster	Lusk	Reynolds	Wilson
			—12.

Pending the further consideration of said bill the hour of 6 o'clock having arrived the Senate took a recess until 8 o'clock tonight.

NIGHT SESSION.

Tuesday, August 6th, 1907.

The Senate reassembled at 8 o'clock p. m.

ROLL CALL.

Upon a call of the roll a quorum was present.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 61. To establish a colony for epileptics in Alabama and to provide means for carrying the same into effect. And returns same herewith to the Senate.

C. B. Brown, Clerk.

HOUSE MESSAGE.

On motion of Mr. McWhorter the Senate concurred in the House amendment to S. 61, the title to which is set out in the foregoing message from the House.

Said amendment being as follows:

Amend section four by striking out the words one hundred thousand when they occur in said section and insert in lieu thereof the words twenty thousand.

Amend section 2 by striking out the words, "By and with the advice of the board of health," where they occur in line 3 and 4 of said section.

Also,

Amend section 3 by inserting after the word "lands" in line 3, the words "Or choose any suitable lands now belonging to the State, for a site for said colony."

Also,

Amend by striking out the word "Commonwealth," the last word in section 4 and inserting in lieu thereof the word colony.

Amend by striking out the 4th line of section 15, the words:

"Board of Commissioners" and insert in lieu thereof the words, superintendent thereof.

Yeas, 22; nays, 1.

Yeas:

Messrs:

Davis	Glenn	Lusk	Moody
Doster	Horton	Merritt	McWhorter
Gardner	Jones	Miller	Overton

Reese	Spragins	Thomas	Wilson
Reid	Strother	White	Wimberly
Reynolds	Teasley		

—22.

Nays: Mr. King.—1.

BILLS ON THIRD READING.

The Bill:

H. 863. To establish a normal school for education of white male and female teachers at Moundville, in Hale county, Alabama.

Was read a third time at length and passed.

Yeas, 13; nays, 11.

Yeas:

Messrs:

Blackmon	Hayes	Jones	Overton
Davis	Heacock	Leith	Reese
Doster	Horton	Moody	Teasley
Hamner			

—13.

Nays:

Messrs:

Barbour	Lusk	Reid	Strother
Bayles	Miller	Reynolds	Wilson
King	McWhorter	Spragins	

—11.

The Bill:

H. 916. To establish a high school for Dale county, to be located at Ozark, Alabama.

Was taken up.

Mr. King offered the following substitute:

A BILL

To be entitled an act to establish six high schools for the State of Alabama, one to be located at Ozark in Dale County, one to be located at Moundville in Hale county, one to be located at Centerville in Bibb county, one to be located at Thomaston in

Marengo county, one to be located at Wedowee in Randolph county, and one to be located at Plantersville in Dallas county, and to provide for the maintenance and support of the said schools.

Be it enacted by the Legislature of Alabama :

Section 1. There is hereby established six high schools for the State of Alabama, one of which shall be located at Ozark in Dale county, one of which shall be located at Moundville in Hale county, one of which shall be located at Centerville in Bibb county, one of which shall be located at Thomaston in Marengo county, one of which shall be located at Wedowee in Randolph county and one of which shall be located at Plantersville in Dallas county.

Section 2. There is hereby appropriated annually out of the State treasury the sum of eighteen thousand dollars, to be prorated equally between the six high schools herein established, for the support and maintenance of the said schools, which sum shall be in addition to and supplement all other funds set apart in any manner to the said schools or either of them. The funds herein appropriated shall be paid monthly and in equal payments to each of the said schools by the State treasurer upon the warrant issued by the State auditor upon the order of the board of trustees of the respective schools.

Section 3. The governor, the State superintendent of education, and five other persons who are qualified electors and citizens of the respective counties in which the said schools are located to be appointed by the Governor, shall constitute the board of trustees of each of the said schools; and when any vacancy occurs on the board of trustees of either of said schools the governor shall appoint his successor. The board of trustees of each school shall elect a treasurer who shall have charge of the funds of the respective schools and disburse same upon the order of the board of trustees.

Section 4. The board of trustees of the said schools shall have control and supervision over the said schools they shall also elect teachers for their respective schools,

fix the amount of the salary of the teachers, make all contracts pertaining to the business of the schools, and the board of trustees of the said schools are hereby given full power and authority to control and manage the said schools and to do any and all acts necessary to carry out the provisions of this act.

Section 5. Suitable buildings for the said schools shall be provided free of expense to the State, and this law shall go into effect when the governor has certified to the auditor of the State that suitable buildings have been provided for the said schools. The said buildings shall be conveyed to the State for the use of the said schools, but if at any time the said buildings cease to be used for or by the said schools the property shall then revert to the grantor and the State shall cease to own any right thereto.

Which was declared to be not germane to the main provisions of the bill and therefore out of order.

Mr. Strother offered the following amendment:

Amend by adding at the end of the bill the following:

"Provided that this act shall not take effect until there has been established in every school district in the State a free public school for white children for seven months in each year."

Which on motion of Mr. Davis, was laid on the table.

Yeas, 18; nays, 12.

Yeas:

Messrs:

Blackmon	Hinson	McWhorter	Teasley
Davis	Horton	Overton	Thomas
Gardner	Jones	Reese	White
Glenn	Leith	Reid	Wimberly
Hayes	Merritt		

—18.

Nays:

Messrs:

Barbour	Heacock	Miller	Spragins
Bayles	King	Moody	Strother
Doster	Lusk	Reynolds	Wilson

—12.

And said bill,
Was read a third time at length and passed.
Yeas, 20; nays, 11.

Yeas:

Messrs:

Blackmon	Hayes	Leith	Reid
Davis	Reacock	Merritt	Teasley
Gardner	Hinson	McWhorter	Thomas
Glenn	Horton	Overton	White
Hamner	Jones	Reese	Wimberly

—20.

Nays:

Messrs:

Barbour	King	Miller	Strother
Bayles	Lowe	Reynolds	Wilson
Doster	Lusk	Spragins	

—11.

PAIR ANNOUNCED.

Mr. White announced that he and Mr. Lowe had paired on this vote. That if Mr. Lowe was present he would vote "nay", and that he, Mr. White, would vote "yea."

RECONSIDERATION OF VOTE.

Mr. Thomas moved to reconsider the vote by which the Senate has just passed House bill No. 916.

Mr. Thompson also moved to lay his motion to reconsider said vote on the table which prevailed.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following Senate bills:

S. 562. For the relief of Chas. G. Abercrombie and Company on unexpired license as future dealers.

S. 632. "To provide for the construction, repairing, working, making, maintaining, and protection of the public roads of Geneva county, and to provide for the levying of the tax for the same, and for punishing road

defaulters, and prescribing the duties of the commissioners court with reference to said work, and for the punishment of violations of orders made by the commissioners court."

S. 633. To regulate the taxing of dogs in Madison county, Alabama, and for the protection of sheep, cattle, horses, swine and other live stock in said county; to provide penalties for its violation; to repeal all laws in conflict.

S. 435. To confer on the governing bodies of towns and cities, which own and operate dispensaries in counties where no part of the net profits of such dispensaries are divided with the counties in which they are so owned and operated, the right, power and authority to give to such counties a part of the net profits of such dispensaries, not exceeding forty per cent. thereof, to be used and expended by the governing bodies of such counties in the improvement of the public roads of such county or counties.

S. 629. To amend an act entitled "an act to establish a board of revenue for Jefferson county, and for the abolishment of the court of county commissioners of said county."

S. 557. To create the office of official stenographer for Walker county, Alabama, to provide for his appointment, fix his compensation and define his duties, and provide for special stenographers in certain cases.

S. 619. For the relief of J. T. Ballow.

S. 620. For the relief of J. C. Webb, Jr., and J. T. Ballow.

Returns the same herewith.

Cyrus B. Brown, Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has non-concurred in the Senate amendment to the bill H. 1233, to make it unlawful for any person to carry about his person a pistol or firearm of any other kind or description, or air gun other than on his own premises or from the place of purchasing such

firearm or air gun to his premises or place of business, shorter than twenty-four inches in length, and to fix the burden of proof and the punishment for the violation thereof.

And requests a committee of conference thereon.

Committee on part of the House: Messrs. Gunter, Urquhart and Rushton.

And herewith returns said bill to the Senate.

Cyrus B. Brown, Clerk.

HOUSE MESSAGE.

On motion of Mr. Hinson the Senate acceded to the request for a committee of conference on the disagreement of the two Houses over the Senate amendments to H. 1233. The title to which is set out in foregoing message from the House, and the President appointed as committee on the part of the Senate Messrs. Hinson, Reese and Thomas.

BILLS ON THIRD READING RESUMED.

The Bill:

H. 427. To appropriate four thousand dollars to the Plantersville High School, at Plantersville, Dallas county, Alabama, and to provide that the Governor of Alabama be ex-officio President of the board of trustees, and that the superintendent of education of Alabama, be ex-officio a member of the board of trustees, and to provide for the appointment by the Governor of five other trustees.

Was read a third time at length.

Yeas, 19; nays, 10.

Yeas:

Messrs:

Blackmon	Hamner	Jones	Overton
Davis	Hayes	King	Reid
Doster	Heacock	Leith	Teasley
Gardner	Hinson	Merritt	Thomas
Glenn	Horton	McWhorter	

Nays:

Messrs:

Barbour	Miller	Reynolds	Strother
Bayles	Moody	Spragins	Wilson
Lusk	Reese		

—10.

The President of the Senate announced that the bill had passed. Mr. Strother made the point that the bill had not passed by a constitutional majority. The chair held the bill had passed and from this ruling of the chair Mr. Lusk, appealed to the Senate.

The chair was sustained.

Yeas, 17; nays, 10.

Yeas:

Messrs:

Blackmon	Hamner	Jones	Reese
Davis	Hayes	Merritt	Teasley
Doster	Heacock	McWhorter	Thomas
Gardner	Horton	Overton	Wilson
Glenn			

—17.

Nays:

Messrs:

Barbour	Miller	Reynolds	Strother
Bayles	Moody	Spragins	Wilson
Lusk	Reid		

—10.

The Bill:

H. 1300. To amend section 393 of the code of 1896.

Was read a third time at length and passed.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	King	Overton
Bayles	Hamner	Lowe	Reid
Blackmon	Hayes	Lusk	Strother
Davis	Heacock	Merritt	Teasley
Doster	Hinson	Miller	Thomas
Gardner	Horton	Moody	Wilson
Glenn	Jones	McWhorter	

—27.

The Bill:

H. 552. To require the sheriffs of the various counties of the State of Alabama, to procure from the office of the United States Internal Revenue collector, a list of all persons, firms or corporations in their respective counties, to whom licenses have been issued for the sale of spirituous, vinous or malt liquors, and to publish the same in some newspaper published in said county.

Was read a third time at length and passed.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Merritt	Reynolds
Bayles	Hayes	Miller	Spragins
Blackmon	Heacock	Moody	Strother
Davis	Hinson	McWhorter	Teasley
Doster	Horton	Overton	Thomas
Gardner	Jones	Reese	Wilson
Glenn	King	Reid	

—27.

The Bill:

H. 113. To regulate the ginning of cotton for toll or hire in this State. To require all ginners of cotton for hire or toll to register all cotton brought to their gins in the name of the owner thereof, so far as can be ascertained, and to require the ginners of cotton for hire or toll to mark every bale of cotton ginned by them with proper marks or initials of the owner thereof, so that the same can be identified; and to require the ginner to keep a register of said marks in a book which shall be open to the public for inspection and to punish violators of said act.

Was taken up.

The following amendment was offered by the committee:

Amend: by striking out the words one hundred dollars, and inserting in lieu thereof, the words ten dollars, and striking out the words five hundred dollars, and inserting in lieu thereof the words one hundred dollars.

Which was adopted.

Ayes, 25; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	King	Reynolds
Bayles	Hayes	Lusk	Spragins
Blackmon	Heacock	Merritt	Strother
Davis	Hinson	Miller	Thomas
Doster	Horton	Moody	White
Gardner	Jones	McWhorter	Wilson
Glenn			

—25.

And the bill as thus amended.

Was read a third time at length and passed.

Yeas, 21; nays, 2.

Yeas:

Messrs:

Barbour	Gunn	Jones	Moody
Bayles	Hamner	King	McWhorter
Blackmon	Hayes	Leith	Reese
Davis	Heacock	Lusk	Reynolds
Doster	Horton	Miller	Wilson
Glenn			

—21.

Messrs. Spragins, Teasley.—2.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following Senate bills:

S. 600. To make an appropriation for the erection of monuments commemorating the heroic deeds of Alabama's sons, to be expended by the Alabama Monument Commission, with the approval of the governor.

S. 497. To provide that no license or tax of any character shall be required by State, county or municipality from the Tennessee Valley Fair Association or from those who conduct business under contract with it on its grounds during the time its annual fair is actually in progress.

S. 150. To regulate the running of automobiles or traction engines or portable engines on the public highways in the State of Alabama and to fix the liability of

any owner or person running or operating an automobile or traction engine or portable engine over or along the public highways in this State for any injury done to persons or property, and to provide a penalty for the violation of the provisions of this act.

S. 108. To provide for paying persons who are convicted of felonies where they appeal to the supreme court when the cause is reversed and remanded or rendered.

And returns same herewith to the Senate.

Cyrus B. Brown, Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in the Senate amendments to the following House bills:

H. 590. To amend an act entitled an act to amend section 4730 of the criminal code of 1896, approved October 1st, 1903.

H. 360. To prohibit the selling, giving away or otherwise disposing of spirituous, vinous or malt liquors or other intoxicating liquors or beverages in any of the voting precincts of Crenshaw county, Alabama, and to make it unlawful for the probate judge of said county to issue license to any person, firm or corporation to sell, give away or otherwise dispose of spirituous, vinous or malt liquors or other intoxicating liquors or beverages in any precinct of said county until the proposition shall have first been submitted to the qualified voters of the precinct in which the aforesaid liquors are to be sold, giving away or otherwise disposed of, and to provide for an election therefor and the expense of holding an election and to punish the violations of the provisions of this act.

H. 1090. To create the sixteenth judicial circuit for the State of Alabama, to be composed of the counties of Blount, Etowah and St. Clair, to confer equity jurisdiction on said court as to matters arising in Blount and St. Clair counties and to provide for registers in chancery therein; to provide for the appointment and election of a judge and solicitor for said circuit and fix their

salaries, and for the removal of pending causes and for the remanding of pending appeals to the new court; to regulate the convening of grand and petit juries in said circuit, and to authorize the judge of said circuit to adopt reasonable rules of practice to facilitate the business of the courts therein; to fix the time of holding courts in said circuit and places at which such courts shall be held and to require that a jury be demanded in civil causes.

H. 1362. To establish a dispensary in and for the town of "Floral" in the county of Covington, State of Alabama, and to provide for the conduct and regulation of the same.

H. 113. To regulate the ginning of cotton for toll or hire in this State. To require all ginners of cotton for hire or toll to register all cotton brought to their gins in the name of the owner thereof, so far as can be ascertained, and to require the ginners of cotton for hire or toll to mark every bale of cotton ginned by them with proper marks or initials of the owner thereof, so that the same can be identified; and to require the ginner to keep a register of said marks in a book which shall be open to the public for inspection and to punish violators of said act.

Cyrus B. Brown, Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House accedes to the request of the Senate for a committee of conference on the disagreement of the two Houses on the Senate amendment to the bill H. 987.

Committee on part of House: Messrs. Mastin, Sanford and Pitts, of Dallas.

Cyrus B. Brown, Clerk.

BILLS ON THIRD READING RESUMED.

The Bill:

H. 324. To define and regulate negotiable instruments.

Was read a third time at length and passed.

Yeas, 22; nays, 9.

Yeas:

Messrs:

Barbour	Hayes	Merritt	Reese
Blackmon	Heacock	Miller	Reynolds
Doster	Hinson	Moody	Spragins
Glenn	Horton	McWhorter	Teasley
Gunn	Jones	Overton	Thomas
Hamner	King		

—22.

Nays:

Messrs:

Bayles	Lowe	Reid	White
Gardner	Lusk	Strother	Wilson
Leith			

—9.

ADJOURNMENT.

The hour of ten o'clock having arrived the Senate adjourned until nine-thirty o'clock a. m., tomorrow.

FIFTIETH DAY.

Wednesday, August 7th, 1907.

The Senate met pursuant to adjournment.

PRAYER.

Prayer was offered by the Rev. Mr. Brooks Lawrence of Birmingham.

ROLL CALL.

Present:

Mr. President, and

Messrs:

Barbour	Davis	Gardner	Hamburger
Bayles	Doster	Glenn	Hamner
Blackmon	Forrester	Gunn	Hayes

Heacock	Lowe	Overton	Teasley
Hinson	Lusk	Reese	Thomas
Horton	Merritt	Reid	White
Jones	Miller	Reynolds	Wilson
King	Moody	Spragins	Wimberly
Leith	McWhorter	Strother	

—35.

JOURNAL.

Upon motion of Mr. Miller the reading of the Journal was dispensed with and the same was approved.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has adopted the following House Joint resolution:

H. J. R. No. 359. That the two Houses recess today from 1 to 4 p. m., and that no bill shall be put upon its passage in either House after 6 o'clock p. m.

And sends same herewith to the Senate.

C. B. Brown, Clerk.

HOUSE MESSAGE.

On motion, H. J. R. 359, set out in the foregoing message from the House,

Was laid on the table.

Yeas, 22; nays, 4.

Yeas:

Messrs:

Barbour	Gunn	Merritt	Reynolds
Bayles	Hamner	Miller	Strother
Blackmon	Hayes	Moody	Teasley
Davis	Jones	Reese	Thomas
Forrester	King	Reid	White
Glenn	Leith		

—22.

Nays:
 Messrs:
 Gardner Lusk Spragins Wilson

—4.

REPORT FROM RULES COMMITTEE.

Mr. Gardner, from the Committee on Rules, made the following report:

Which was read and adopted.

To the Senate of Alabama:

The Committee on Rules reports for special, permanent and continuing orders for today the following House bills in the order in which they appear beginning with H. 1397.

Lucian Gardner, Chairman.

Aug. 7, 1907.

H. 1397, Ex. Leg. Jud. Dept.

H. 1323, Mine Inspectors.

H. 1324, Mine Inspectors.

H. 1359, Keeping Capitol Grounds.

H. 1342, Demurrage Bill.

H. 1343, Demurrage Bill.

H. 949, Text Books.

H. 903, Confirming sales, etc.

H. 1249, Sheriff's feed bill.

H. 1370, Investigation Insane Hospital.

H. 628, Mutual Aid Associations.

H. 576, Inc. Aid Associations.

H. 1287, Self-proving deeds.

H. 1198, Municipal jury amendment.

H. 937, Indigent Soldiers.

H. 928, Hop-Jack.

H. 1224, Examination Teachers.

H. 1278, Road Law.

H. 1133, Viaducts.

H. 1378, Bond issue by towns.

H. 856, Assistant Clerk Agriculture Com.

H. 1328, Supervision bill.

H. 1123, Exempt eastern star.

H. 851, Weight, corn meal, etc.

H. 527, Repeal sec. 84-2 R. L.

H. 1131, Ala. In. Hos. Lands, etc.

H. 609, Examination License.

Mr. Teasley moved to amend said report by adding thereto H. 1361.

Mr. Lusk moved to table Mr. Teasley's amendment.

Which was lost.

Yeas, 13; nays, 14..

Yeas:

Messrs:

Barbour	Hayes	Lowe	Miller
Davis	Heacock	Lusk	McWhorter
Forrester	Leith	Merritt	Wilson
Hamner			

—13.

Nays:

Messrs:

Bayles	Jones	Reynolds	Teasley
Doster	King	Spragins	White
Gardner	Overton	Strother	Wimberly
Gunn	Reese		

—14.

Mr. Teasley then waived the adoption of his said amendment.

Which motion prevailed.

Mr. Teasley moved to further amend said report by adding thereto H. 162.

Which on motion of Mr. Lusk was laid on the table.

Yeas, 15; nays, 10.

Yeas:

Messrs:

Barbour	Heacock	Merritt	Strother
Gunn	Leith	Miller	Wilson
Hamner	Lowe	McWhorter	Wimberly
Hayes	Lusk	Reynolds	

—15.

Nays:

Messrs:

Davis
Doster
Gardner

Jones
King

Overton
Reese

Spragins
Teasley

—10.

Mr. Jones moved to amend said report by adding thereto H. 1108.

Mr. Miller moved to lay Mr. Jones amendment on the table.

Which was lost.

And,

Said amendment was then adopted.

Mr. Strother moved to amend said report by adding thereto H. 593.

Which amendment was lost.

Mr. Strother moved to further amend said report by adding thereto H. 1178.

Which amendment was adopted.

• And,

Said report from the Rules Committee as thus amended was adopted.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bills:

S. 510. To authorize and require the governor to designate and appoint one of the judges of the city court of Birmingham as special judge of the criminal court of Jefferson county.

S. 577. To fix the times and places of holding the circuit courts in the fifth judicial circuit of Alabama.

And returns same herewith to the Senate.

Cyrus B. Brown, Clerk.

HOUSE MESSAGE.

On motion of Mr. Miller the Senate non-concurred in the following amendment adopted by the House to Sen-

ate bill 510, the title to which is set out in the foregoing message from the House, to-wit:

A BILL

To be entitled an act to authorize and require the governor to designate and appoint a judge or judges to try causes in the criminal court of Jefferson county.

Section 1. Be it enacted by the Legislature of Alabama: That the judges of the criminal court of Jefferson county, shall from time to time, certify to the governor, the number of cases on the dockets of that court, in which the defendants are in jail, and whether every one of them have had an opportunity for a trial within the last sixty days, whereupon the governor shall designate as many judges of courts of record who try jury causes, to hold the criminal court of Jefferson county, and they may hold extra or special terms, order, draw and empanel juries, or try cases at the same time, that, both of the judges of the criminal court are engaged in trying causes.

Section 2. Whenever a judge is designated to hold the criminal court, who does not live in Jefferson county, he shall be paid out of the county treasury, on his warrant six dollars a day for his expenses.

And requests a committee of conference.

The President thereupon appointed Messrs. Miller, Merritt and Gunn as the committee on the part of the Senate.

On motion of Mr. Strother the Senate concurred in the following amendment to Senate bill 577, the title to which is set out in the foregoing message from the House, to-wit:

Amend the substitute, by striking out the word "three" where it appears in the tenth line of section one of the substitute and adding in lieu thereof the word "two."

Yeas, 25; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lusk	Reynolds
Davis	Hayes	Miller	Spragins
Doster	Jones	Moody	Strother
Forrester	King	McWhorter	Teasley
Gardner	Leith	Reese	Thomas
Glenn	Lowe	Reid	Wilson
Gunn			

—25.

RESOLUTION.

Mr. McWhorter offered the following resolution which was adopted:

JOINT RESOLUTION.

S. J. R. 133. Whereas, Dr. Wm. P. Spratling, of Sonyia, New York, has generously offered to donate to the State of Alabama 400 acres of land lying in Chambers County, this State, for a site for an Epileptic Colony to be established in the State; and whereas, the Legislature of Alabama duly appreciates this timely offer, therefore, be it resolved by the Senate, and the House of Representatives concurring, that the thanks of the Legislature be tendered the said Dr. Spratling and a copy of this resolution be forwarded to him.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bills:

S. 314. To provide for the taking of the census of the school children in the State of Alabama, and to provide punishment for the making of false enumerations.

S. 546. To amend sections 1, 2, 4, 5, 6, 8, 9, 13, 14 and 15 of an act entitled "An act to regulate the registration, branding, sale, tagging, and analysis of commercial

fertilizers, acid phosphates, fertilizer materials and chemicals in the State of Alabama," approved March 3, 1903.

And returns same herewith to the Senate.

Cyrus B. Brown, Clerk.

HOUSE MESSAGE.

On motion of Mr. Barbour the Senate concurred in the House amendment to Senate bill No. 314, the title to which appears in the foregoing message from the House, said amendment being as follows:

A BILL

To be entitled an act to provide for the taking of the census of the school children in the State of Alabama, and to provide a penalty for the making of a false enumeration thereof.

Be it enacted by the Legislature of Alabama, as follows:

Section 1. That the district trustees of each public school district in this State, whether existing under general law or created by special or local law, and the boards of education or school trustees or other governing board or body of any public school district lying in any incorporated town or city in this State, shall cause to be made during the month of July 1908, and every even numbered year thereafter an enumeration of all the children within school age residing in each of said several school districts, and to that end said trustees or boards of education or other governing board or body shall select and appoint a proper and competent person to make such enumeration, on blanks to be prepared and provided by the superintendent of education of the State, and such person shall make a report of such enumeration under oath to the county superintendent of education of his county by the 15th day of August next succeeding the time of the taking of said census. The county superintendent of education shall then make a written verified

report by districts to the superintendent of education of the State.

Section 2. That the court of county commissioners, or board of revenue or other court of like jurisdiction for each county shall fix the compensation of each of said persons taking such school census in each district no part of which is situated in any incorporated town or city, and shall order the same paid to such persons out of the general funds in the county treasury of the county wherein such enumerations are made and the mayor and city council or other governing body of any municipality wherein a public school district, as herein-above in this act described, is situated in whole or in part, shall fix the compensation of the person who shall take the school census in such district, and shall order the same paid out of the treasury of such town or city.

Section 3. That any person appointed to make an enumeration of the children within school age of any public school district in this State as required by section 1 of this act, who shall knowingly make a false or fraudulent enumeration or report of the number of children within school age residing in such district shall be guilty of a misdemeanor, and on conviction shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, and shall also be sentenced to hard labor for the county for not less than six months nor more than twelve months.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Barbour	Jones	Moody	Spragins
Blackmon	Leith	McWhorter	Strother
Forrester	Lowe	Overton	Teasley
Gunn	Lusk	Reese	Thomas
Hamner	Merritt	Reid	White
Hayes	Miller	Reynolds	Wilson

—24.

And on motion of Mr. Leith the Senate concurred in the House amendments to Senate bill No. 546, the title of

which is set out in the foregoing message from the House said amendment being as follows:

Amend S. 546 by adding in the enacting clause in the second line between the figures 4 and 6 the figure 5.

And also amend Sec. 9 line twenty-one by adding after the words registered again, the words (in said year.)

Yeas, 25; nays, 1.

Yeas:

Messrs:

Barbour	Gunn	Leith	Reese
Blackmon	Hamner	Lusk	Spragins
Davis	Hayes	Merritt	Strother
Doster	Heacock	Miller	Thomas
Forrester	Jones	Moody	White
Gardner	King	McWhorter	Wilson
Glenn			

—25.

Nays: Mr. Reynolds.—1.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following Senate bills:

S. 635. To amend sections 426, 427, 431, 434 and 456 of the Code of 1896.

S. 503. To further regulate and prohibit the sale or other disposition of spirituous, vinous, malt or intoxicating liquors, or the issuing of prescriptions by physicians for the sale or other disposition of such liquors.

S. 123. To amend section 12 of an act entitled an act for the relief of needy confederate soldiers and sailors, resident citizens of Alabama, and their widows, approved the 10th day of February, 1899.

S. 519. To ratify confirm and validate loans of money evidenced by notes or bonds and secured by mortgage or either, made by any city or town out of any funds belonging thereto.

S. 321. To amend section 3700 of the code of Alabama of 1896, as amended by an act of the Legislature of Alabama, approved February 12th, 1903.

S. 570. To authorize the auditor on certificate of the board of county examiners to restore confederate pensioners to the pension list and pay unpaid pensions, where through mistake, omission or inadvertence dropped from or off the list.

S. 637. For the payment of the expenses of the Legislature and executive and judicial officers of the State in attending the funeral of the late Senator Pettus.

S. 486. To further protect and promote the propagation of fish, and to protect private interests in ponds, pools, lakes, or other reservoirs or bodies of water containing fish.

S. 131. To submit to the qualified electors of the State, at the general election to be held on the first Tuesday after the first Monday in November, 1908, for two associate justices of the supreme court, for their consideration an amendment to sections 46 and 48 of article 4 of the constitution so as to provide for biennial sessions of the Legislature.

S. 551. To submit to the qualified electors of the State at the general election to be held on the first Tuesday after the first Monday in November, 1908, for their consideration an amendment to section 93 of Article IV, of the Constitution so as to provide that the State may under appropriate laws cause the net proceeds from the State convict funds to be applied to the construction, repair and maintenance of public roads for the State and the Legislature may also make additional appropriations for that purpose.

S. 507. To appropriate four thousand (\$4,000.00) dollars out of moneys arising from the sale of fertilizer tags, sale of licenses, or any other funds collected by the department of agriculture and industries and paid into the State treasury, not otherwise appropriated for the use of the department of agriculture and industries for the purpose of holding farmer's institutes, conducting experiments, gathering statistics, and for carrying out all laws now in existence or may hereafter be enacted for the betterment of the agricultural interests of the State.

And returns same herewith to the Senate.

Cyrus B. Brown, Clerk.

MESSAGE FROM THE GOVERNOR.

To the Senate:

I herewith return S. B. 384, entitled an act provided for the establishment of high schools in this State and to make appropriations for said schools.

I suggest the following amendment thereto, viz: Amend said bill by adding the following section, viz:

Section 9. That this act shall not go into effect until the governor shall decide that the condition of the treasury will admit of the appropriation herein made

B. B. Comer, Governor.

Aug. 7, 1907.

GOVERNOR'S MESSAGE.

On motion the proposed amendments, as set out in the above and foregoing message from the governor, was concurred in and adopted.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Glenn	Lusk	Spragins
Bayles	Gunn	Miller	Strother
Blackmon	Hamner	Moody	Teasley
Davis	Hinson	McWhorter	White
Doster	Jones	Reese	Wilson
Forrester	Leith	Reynolds	Wimberly
Gardner	Lowe		

—26.

Which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE GOVERNOR.

To the Senate:

I herewith return Senate bill No. 509 entitled "An act to provide for the organization, incorporation, government and regulation of cities and towns and to define the rights, powers, duties, jurisdiction and authority of

such cities and towns and of the officers thereof and to prescribe the penalties for violation of the provisions of this act."

And suggest that said bill be amended as follows:

1. Amend said bill by adding thereto the following:

Section 20 1-2. The council of any city that alters and re-arranges its boundary line so as to absorb two or more cities and towns, shall have the power to exempt from taxation for a period of not exceeding five years, any industrial or manufacturing plant situated in the territory added to said city, provided said term of exemption shall not be renewed or extended. The council of any city or town shall also have the power to exempt from taxation for a period not to exceed ten years, any industrial or manufacturing plant that may be established in said city, after the passage of this act; provided said term of exemption shall not be renewed.

2. Amend section seventy-two of said bill by adding to the end thereof the following:

"The council shall designate the persons who shall administer oaths and issue warrants of arrest for violations of law and the ordinances of a city or town; and the persons authorized to approve appearance bonds of persons arrested."

3. Amend section seventy-six of said bill by striking out sub-division thirteen thereof and inserting in lieu of said sub-division thirteen the following: "(13) No alderman, officer or employee of the municipalities shall be directly or indirectly interested in any work, business or contract, the expense, price or consideration, of which is paid from the treasury, nor shall any member of the council or officer of the municipality be surety for any person having a contract, work or business with such municipality, for the performance of which a surety may be required. The award of each contract for which bids have been submitted, shall be made to the lowest responsible bidder, who may comply with such reasonable regulations as may be prescribed before the bids are called for."

B. B. Comer, Governor.

August 7, 1907.

GOVERNOR'S MESSAGE.

On motion of Mr. Lusk the governor's amendment was concurred in and adopted.

Yeas, 27; nays, 3.

Yeas:

Messrs:

Barbour	Gunn	Merritt	Strother
Blackmon	Hamner	Miller	Teasley
Davis	Hayes	Moody	Thomas
Doster	Heacock	McWhorter	White
Forrester	Jones	Overton	Wilson
Gardner	Lowe	Reynolds	Wimberly
Glenn	Lusk	Spragins	

—27.

Nays: Messrs. Bayles, King, Leith—3.

Which was a majority of the whole number elected to the Senate.

RESOLUTIONS.

Mr. Miller offered the following resolution which was adopted:

Resolved, That the invitation of Senator Joseph F. Johnston extended to the Senate and House of Representatives to lunch with him today be accepted by the Senate.

Resolved, further, That when the Senate adjourns at one o'clock today it stands adjourned until four o'clock.

Mr. Lusk offered the following resolution which under a suspension of the rules was adopted, to-wit.

Resolved by the Senate that the secretary and reading clerk and three other clerks be and they are hereby given two weeks after adjournment of the present session to revise, check over and compare the Journals of the present session, and that they each be allowed the same per diem as they now receive.

Mr. Gunn offered the following resolution, which was adopted, to-wit:

Resolved, by the Senate that each member of the Senate is entitled to a copy of each code and a copy of the acts of the Legislature of 1903, and the doorkeeper is hereby relieved of the responsibility of the copies delivered to the Senators.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker of the House having signed the following House Bills your signature thereto is requested:

H. 133. An act to amend an act entitled an act to establish an inferior court in precincts 21 and 37 in Jefferson county, Alabama, in lieu of all justices of the peace and notaries public with powers of justices of the peace in said precincts and to define the jurisdiction and powers of said court and the judges thereof, approved Sept. 26th, 1903.

H. 1094. To amend sections 1 and 4 of an act to appropriate annually \$67,000.00 or so much thereof as is necessary, to aid rural school districts in the State to erect or repair public school houses, approved March 2, 1907.

H. 192. To amend section 5001 of the criminal code and to provide for the organization of a grand jury at adjourned term of the circuit or city courts.

H. 1349. Authorizing the recovery and requiring the refund of any money erroneously paid or collected for taxes, whether paid under compulsion or protest or not.

H. 1206. To make an enumeration, or census, of the confederate soldiers residing in the State of Alabama, and to provide for the payment thereof.

H. 1305. To fix the salary of the county treasurer of Walker county, Alabama.

H. 1344. To authorize the county board of education of Chambers county to establish a high school anywhere in the county.

H. 1044. To alter or change the boundary line between the counties of Etowah and Calhoun, in the State of Alabama, and as altered to establish the same.

H. 1386. To amend section two (2) of an act entitled "An act to regulate the practice in the circuit court of Calhoun county," Approved 12th day of March, 1907.

H. 552. To require the sheriffs of the various counties of the State of Alabama, to procure from the office of the United States Internal Revenue Collector, a list of all persons, firms or corporations in their respective counties, to whom licenses have been issued for the sale of spirituous, vinous or malt liquors, and to publish the same in some newspaper published in said counties.

H. 1300. To amend section 393 of the code of 1896.

H. 1242. To establish an inferior court in precinct 45, in Jefferson county, Alabama, in lieu of all justices of the peace and notaries public, with powers of justices of the peace, in said precinct, and to define the jurisdiction and powers of said court and of the judges thereof.

H. 427. To appropriate four thousand dollars to the Plantersville high school at Plantersville, Dallas county, Alabama, and to provide that the governor of Alabama be ex-officio president of the board of trustees, and that the superintendent of education of Alabama be ex-officio a member of the board of trustees and to provide for the appointment by the governor of five other trustees.

H. 916. To establish a high school for Dale county, to be located at Ozark, Alabama.

H. 1337. To require the sheriff of Lawrence county to procure from the office of the United States Internal Revenue Collector for the State of Alabama, a list of persons, firms or corporations in Lawrence county, to whom licenses have been issued for the sale of spirituous, vinous, or malt liquors, and to publish the same in some newspaper, published in said county.

H. 1201. To regulate and prescribe the manner of electing county commissioners in the county of Walker, fix their compensation and provide for holding regular special and adjourned terms of the court of county commissioners.

H. 810. To establish a board of revenue for Houston county.

H. 218. To prohibit the display of nude pictures of a man, woman, or girl in any public place, except art galleries.

H. 1271. To amend an act entitled an act, to establish the Morgan county law and equity court; to create and define its jurisdiction; to provide its officers, their powers, duties and compensation, to fix the terms of said court; and to prescribe rules and procedure for said court, approved February 25, 1907, by adding section 37, providing that the judge of the said Morgan county law and equity court be authorized and empowered to direct the sheriff of Morgan county to appoint a sufficient number of deputies to serve the process of this court, and perform other necessary and proper duties and to provide for the compensation of the sheriff, deputies and janitor for said court; and by adding section 38, providing for the trial of all causes removed to the Morgan county law and equity court from any other court in Morgan county; and by adding section 39, providing that a session of said court may be held at any time for such purposes as the judge of said court may determine, and for which petit and grand jurors may be summoned and empanelled; and by adding section 40 providing for rendering final judgment upon forfeited bonds; and by adding section 41 providing for the investigation of charges against any defendant in the county court of Morgan county, Alabama, by the grand jury of the Morgan county Law and Equity Court.

H. 1165. To amend an act entitled "An act to establish a separate school district, to be known as the Elba school district in Coffee county, Alabama, and to provide for the management of the public schools in said district, approved February 28, 1901, as amended by an act approved September 28, 1903.

H. 590. To amend an act entitled an act to amend section 4730 of the criminal code of 1896, approved October 1st, 1903.

H. 936. To propose an amendment to the constitution of the State of Alabama, for the purpose of provid-

ing for the formation and establishing of new counties out of portions of one, two or more counties as may be desired.

Cyrus B. Brown, Clerk.

SIGNING OF BILLS.

The President of the Senate in the presence of the Senate, immediately after their titles had been publicly read at length by the Secretary, signed the above House bills the titles of which are set out in the forgoing message from the House. The reading at length of said bills having been dispensed with, by a two-thirds vote of a quorum of the Senate present.

REPORT FROM THE COMMITTEE ON ENROLLED BILLS.

Mr. President:

The Committee on Enrolled Bills report that they have examined the following Senate bills:

S. 347. To establish and maintain a State sanatorium for consumption and tuberculosis, and to provide for disseminating information upon the nature, treatment and cure of tubercular diseases, and to make appropriations therefor.

S. 363. To amend section 2240 of the code of Alabama of 1896, and to appropriate the sum of six hundred dollars for the secretary of the senate and the clerk of the house, respectively, for filing and arranging the papers of their respective houses in the office of the secretary of State and copy and deliver to the public printer the journals of their respective houses, with proper indexes thereto.

S. 399. To amend sections 2, 3, and 4 of an act entitled "An act to regulate railroads and other common carriers in this State, to secure reasonable rates and adequate service and prevent unjust discrimination in their public service, and prescribe penalties for violation thereof" approved February 23, 1907.

S. 398. To further prescribe the powers of the railroad commission of Alabama and to authorize

it to change any classification of railroads or of any articles of freight, or any rates or charges for the transportation of freight or passengers which have been, or which may hereafter be, prescribed by statute, or any prevailing rates or charges for such transportation which have been, or which may hereafter be, by statute made the maximum rates.

S. 343. To require and regulate the giving of bills of lading or receipts for property received by any common carrier, railroad or transportation company for transportation, originating and terminating within this State, and to fix the liability of the initial carrier for any loss, injury or damage to such property, and prohibit the limitation of such liability by contract.

S. 150. To regulate the running of automobiles or traction engines or portable engines on the public highways in the State of Alabama, and to fix the liability of any owner or person running or operating an automobile or traction engine or portable engine over or along the public highways in this State for any injury done to persons or property and to provide a penalty for the violation of the provisions of this act.

S. 603. To reimburse the governor's contingent fund the amount expended therefrom in paying the funeral expenses of the late William L. Martin, who at the time of his death was Speaker of the House of Representatives, and to make an appropriation therefor.

S. 513. To amend an act to provide for the inspection of jails, almshouses and cotton mills by adding section 12 to provide stationery and for office supplies.

S. 520. To amend an act entitled an act to create a railroad commission to be known as the railroad commission of Alabama, define its duties and powers and provide for its mode of procedure and prescribe penalties for violation of its orders. Approved 23 day of February, 1907.

And find same to be correctly enrolled.

Frank S. Moody, Chairman.

SIGNING OF BILLS.

The President of the Senate in the presence of the Senate, immediately after their titles had been publicly read at length by the secretary, signed the above Senate bills, the titles of which are set out in the foregoing report from the committee on Enrolled bills. The reading at length of said bill having been dispensed with, by a two-thirds vote of a quorum of the Senate present.

MESSAGE FROM THE HOUSE.

Mr. President:

The House accedes to the request of the Senate for a committee of conference on the disagreement of the two Houses on the House amendment to the bill:

S. 510. To authorize and require the governor to designate and appoint one of the judges of the city court of Birmingham as special judge of the criminal court of Jefferson county.

Committee on part of the House: Messrs. Glover, John and Parker, and returns same herewith to the Senate.

And,

The House has concurred in and adopted the report of the conference committee on the disagreement of the two Houses on the Senate amendment to the bill H. 25. To define corrupt solicitation of legislators and provide adequate punishment thereof, and the means to effectually enforce this act.

REPORT OF CONFERENCE COMMITTEE.

Mr. President:

The conferee of the Senate and House on the disagreeing votes of the two Houses on H. B. 25. To define corrupt solicitation of Legislators and to provide adequate punishment therefor and the means to enforce this act—report that having considered the disagreement, they recommend; that, the Senate recede from the amendment

striking out Section 2 of the act and adopt in place thereof the following:

Section 2. It shall be unlawful for any State or county official at any time during his term of office to accept or receive, directly or indirectly, and fee, money, office, appointment, employment, reward or thing of value or of personal advantage, or the promise thereof, to lobby for or against any measure pending before the Legislature, or to give or withhold his influence to secure the passage or defeat of any such measure, and any person guilty of the violation of any of the provisions of this section shall be guilty of a misdemeanor and shall be fined in a sum not exceeding five hundred dollars.

Provided, That it shall not be unlawful for any county or municipal officer to accept from the county or municipality reimbursement for expenses incurred in attending any sitting of the Legislature as to proposed Legislation affecting such county or municipality.

And that the House concur in this amendment.

That the House concur in Senate amendments striking out sections (3) three and (4) four of the bill.

That the Senate recede from its amendment to section 5, and then amend the bill by striking out the whole of section 5, and the House concur in this amendment striking out section 5; so that section (1) one of the original bill, and section 2, as rewritten by the conferees are the whole bill, to be passed by the Legislature.

H. P. Merritt,

J. A. Lusk,

Nathan L. Miller,

Committee of the Senate.

C. M. Sherrod,

J. T. Fuller,

Sam Will John.

Committee of the House.

On motion of Mr. Lusk the report of conference committee was concurred in.

Yeas, 20; nays, 2.

Yeas:

Messrs:

Barbour	Glenn	Lusk	Reynolds
Bayles	Gunn	Merritt	Spragins
Davis	Heacock	Miller	Teasley
Doster	Jones	Moody	Thomas
Gardner	Leith	McWhorter	Wilson

—20.

Messrs. Hamner, Overton—2.

JOINT CONVENTION FOR THE ELECTION OF UNITED STATES SENATOR.

The hour of twelve o'clock having arrived, when in pursuance of a joint resolution heretofore adopted, the Senate of Alabama, should convene with the House in joint convention in the Hall of the House of Representatives for the purpose of ascertaining and declaring the result of the balloting on yesterday, August 6th, 1907, for a Senator to represent the State of Alabama in the Congress of the United States to succeed the late Senator Edmund Winston Pettus for the term expiring March 4th, 1909, and also for the term beginning March 4th, 1909, and ending March 4th, 1915, and in case no objection had been made to proceed with such election. The Senate met with the House of Representatives in the Hall of the House of Representatives and the joint convention was called by the President of the Senate, who directed the Secretary of the Senate to call the roll of the Senate, whereupon the following Senators answered to their names, being a majority of the Senate of Alabama, viz:

Messrs:

Barbour	Hamner	Lowe	Reynolds
Bayles	Hayes	Lusk	Spragins
Blackmon	Heacock	Merritt	Strother
Davis	Hinson	Miller	Teasley
Doster	Horton	Moody	Thomas
Forrester	Jones	McWhorter	White
Gardner	King	Overton	Wilson
Glenn	Leith	Reese	Wimberly
Gunn			

—33.

The Speaker of the House then directed the clerk of the House to call the roll of the House of Representatives, whereupon the following Representatives answered to their names, being a majority of the House of Representatives of Alabama, viz:

Messrs:

Speaker	Hoffman	Pitts (Perry)
Arnold	John	Powell (Bullock)
Avery	Killen	Powell (Covington)
Ballard (Autauga)	King	Power
Ballard (Pike)	Kirby	Pugh
Baltzell	Lacy (Walker)	Ragsdale
Barton	Lancaster	Rainer
Benners	Lawson	Rattray
Bloch	Lee (Barbour)	Rice
Brown	Lee (Houston)	Rowe
Bulger	Lindsey	Rushton
Cannon	Long, (Butler)	Sample
Carmichael (Clay)	Long (Morgan)	Sanders
Carmichael, (Colbert)	Lovelady	Sanford
Coleman, (Marshal)	Lyons	Seale
Cooper	Malone	Sherrod
Cranford	Maner	Smith (Elmore)
Crum	Mitchell	Smith (Lee)
Dudley	Moore	Smith (Franklin)
Edwards	McCrory	Steagall
Elrod	McDuffie	Tunstall
Foster	McMillan	Turner
Fuller	Norville	Vann
Glover	Parker	Weaver
Goodwyn	Pearson	White (Lamar)
Gunter	Peete	White (Perry)
Haley	Pitts (Dallas)	Williams
Henley		

—83.

The Secretary of the Senate then proceeded to read the Journal of the Senate of yesterday from which it appeared that Joseph F. Johnston, of Jefferson county, Alabama, received thirty-two (32) votes for Senator to represent the State of Alabama in the congress of the

United States for the unexpired term of the late Senator Edmund Winston Pettus, ending March 4th, 1909.

The Clerk of the House then proceeded to read the Journal of the House of Representatives of yesterday from which it appeared that Joseph F. Johnston, of Jefferson county, Alabama, received ninety (90) votes for Senator to represent the State of Alabama in the Congress of the United States for the unexpired term of the the late Senator Edmund W. Pettus, ending March 4th, 1909.

The President of the Senate then announced that Joseph F. Johnston received a majority of all the votes cast in each House of the Legislature of Alabama for Senator to represent the State of Alabama in the Congress of the United States to succeed the late Senator Edmund W. Pettus for the unexpired term ending March 4th, 1909, he declared him to be duly and constitutionally elected a Senator from the State of Alabama in the Congress of the United States of America for the unexpired term ending March 4th, 1909, of the late Senator Edmund W. Pettus.

The Secretary of the Senate then proceeded to read the Journal of the Senate of yesterday from which it appeared that Joseph F. Johnston of Jefferson county, Alabama, received thirty-three (33) votes for Senator to represent the State of Alabama, in the Congress of the United States for the term beginning March 4th, 1909, made vacant by the death of the late Senator Edmund W. Pettus.

The Clerk of the House then proceeded to read the Journal of the House of Representatives of yesterday from which it appeared that Joseph F. Johnston, of Jefferson county, Alabama, received eighty (80) votes for Senator to represent the State of Alabama in the Congress of the United States for the term beginning March 4th, 1909, made vacant by the death of the late Senator Edmund W. Pettus.

The President of the Senate then announced that Joseph F. Johnston, of Jefferson county, Alabama, having received a majority of all the votes cast in each House

of the Legislature of Alabama, for Senator to succeed the late Senator Edmund W. Pettus for the term beginning March 4th, 1909, he declared him to be duly and constitutionally elected a Senator from the State of Alabama in the Congress of the United States of America for the term beginning March 4th, 1909.

The purpose of the joint convention having been accomplished the President of the Senate declared the same dissolved and the Senate returned to its chamber.

BILLS ON THIRD READING.

The Bill:

H. 134. To provide for the assessment and collection of poll taxes.

Was taken up.

The committee offered the following amendment:

"Amend section three thereof by inserting next after the word "refuse" the words "or fail."

Which was adopted.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lusk	Reynolds
Davis	Hayes	Merritt	Strother
Doster	Heacock	Miller	Thomas
Forrester	Jones	Moody	Wilson
Glenn	King	Reese	Wimberly
Gunn	Leith		

—22.

On the motion of Mr. Lusk the bill and amendment was laid upon the table.

Yeas, 14; nays, 10.

Yeas:

Messrs:

Barbour	King	Miller	Reynolds
Bayles	Leith	Moody	Teasley
Davis	Lusk	Reese	White
Jones	Merritt		

—14.

Nays:

Messrs:

Doster	Gunn	Lowe	Wilson
Forrester	Hamner	Strother	Wimberly
Glenn	Hayes		

—10.

The Bill:

H. 593. To confirm and ratify the lease of the north-east quarter of section sixteen of township five south, range two east, by the board of education of Baldwin county, Alabama.

Was read a third time at length and passed.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Merritt	Spragins
Bayles	Heacock	Miller	Strother
Davis	Jones	Moody	Teasley
Doster	King	Overton	Thomas
Forrester	Leith	Reese	White
Gardner	Lowe	Reid	Wilson
Glenn	Lusk	Reynolds	Wimberly.
Gunn			

—29.

The Bill:

H. 949. To create a text book commission and to procure for use in the public schools of this State a uniform series of text books; to define the duties and powers of said commission and to make an appropriation for the carrying into effect this act, and to provide punishment and penalties for the violation of same.

Was read a third time at length and passed.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Merritt	Strother
Davis	Hayes	Moody	Teasley
Doster	Jones	McWhorter	White
Forrester	Leith	Reynolds	Wilson
Gardner	Lowe	Spragins	Wimberly
Glenn	Lusk		

—22.

The Bill:

H. 1391. To prescribe the rules of evidence upon applications of confederate soldiers or sailors, resident citizens of Alabama, and their widows for pensions under the pension laws of Alabama as to proving the facts of service in the confederate army, or in the State troops of Alabama and that they did not desert, and to provide for a special session of the State and county boards of examiners during the year 1907, for the examination of applicants, and to repeal all laws and parts of laws in conflict with this act.

Was read a third time at length and passed.

Yeas, 19; nays, 8.

Yeas:

Messrs:

Davis	Gunn	King	Overton
Doster	Hamner	Leith	Strother
Forrester	Hayes	Merritt	Wilson
Gardner	Heacock	Moody	Wimberly
Glenn	Jones	McWhorter	

—19.

Nays:

Messrs:

Barbour	Lowe	Miller	Spragins
Bayles	Lusk	Reynolds	Teasley

—8.

The Bill:

H. 1127. To amend section 17 of an act entitled an act to provide a system of quarantine for this State, approved February 23, 1899.

Was read a third time at length and passed.

Yeas, 21; nays, 2.

Yeas:

Messrs:

Barbour	Glenn	Lusk	Reynolds
Bayles	Gunn	Merritt	Spragins
Davis	Hamner	Miller	White
Doster	Heacock	Moody	Wilson
Forrester	Jones	McWhorter	Wimberly
Gardner			

—21.

Nays: Messrs. King, Leith.

The Bill:

H. 1123. To exempt from taxation all the property, both real and personal, belonging to The Eastern Star.

Was read a third time at length and passed.

Yeas, 21; nays, 3.

Yeas:

Messrs:

Bayles	Gunn	Lowe	Reynolds
Davis	Hamner	Lusk	Strother
Doster	Hayes	Merritt	Teasley
Forrester	Heacock	Miller	Wilson
Gardner	Leith	Moody	Wimberly.
Glenn			

—21.

Nays: Messrs. Jones, King, Spragins—3.

The Bill:

H. 1397. To amend "An act to make appropriations for the ordinary expenses for the executive, legislative, and judicial departments of the State, for the interest on the public debt and for public schools."

Yeas, 27; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lusk	Reid
Davis	Hayes	Merritt	Reynolds
Doster	Heacock	Miller	Spragins
Forrester	Horton	Moody	Teasley
Gardner	King	McWhorter	White
Glenn	Leith	Overton	Wilson
Gunn	Lowe	Reese	

—27.

The Bill:

H. 1323. To appropriate fifteen hundred dollars for the purpose of furnishing and equipping the office of mine inspectors of this State with necessary and suitable furniture, apparatus, machines and all other necessary instruments.

Was read a third time at length and passed.

Yeas, 26; nays, 0.

Yeas :

Messrs :

Barbour	Hayes	Merritt	Reid
Bayles	Heacock	Miller	Reynolds
Forrester	Jones	Moody	Spragins
Gardner	King	McWhorter	Teasley
Glenn	Leith	Overton	Thomas
Gunn	Lowe	Reese	Wilson
Hamner	Lusk		

—26.

The Bill :

H. 1324. To amend section 2904 of the code of Alabama as now amended.

Was read a third time at length and passed.

Yeas, 19 ; nays, 2.

Yeas :

Messrs :

Barbour	Hamner	Lusk	Overton
Davis	Hayes	Merritt	Reese
Doster	Jones	Miller	Reynolds
Glenn	King	Moody	Wilson
Gunn	Leith	McWhorter	

—19.

Nays : Messrs. Reid, Spragins—2.

The Bill :

H. 1359. To provide for refurnishing and in keeping in repair the State capitol and the several offices therein, and to provide for the improvement and keeping in order the State capitol grounds.

Was read a third time at length and passed.

Yeas, 25 ; nays, 0.

Yeas :

Messrs :

Barbour	Gunn	Lowe	Reid
Bayles	Hamner	Lusk	Spragins
Doster	Hayes	Merritt	Strother
Forrester	Jones	Miller	Teasley
Gardner	King	McWhorter	Thomas
Glenn	Leith	Overton	Wilson

—25.

The Bill:

H. 1342. To amend sections 14 and 16 of an act entitled "An act to prescribe rules and regulations relating to demurrage and car service and the charges therefor and the respective rights, duties, obligations, liabilities and remedies of common carriers by rail and shippers and consignees with respect to the furnishing of empty cars and the transportation and delivery of freight and delay of shippers and consignees in the loading and unloading of cars and the receiving of freight, and charges for such delay," approved February 28, 1907.

Was read a third time at length and passed.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lowe	Reynolds
Blackmon	Hayes	Lusk	Spragins
Doster	Heacock	Merritt	Teasley
Forrester	Jones	McWhorter	Thomas
Gardner	King	Reese	Wilson
Gunn	Leith		

—22.

H. 1343. To authorize the railroad commission of Alabama to modify or change any rule or regulation prescribed by statute relating to demurrage or car service and charges therefor and the respective rights, duties and obligations of common carriers by rail and shippers and consignees with respect to furnishing empty cars and the transportation and delivery of freight and delay in the loading and unloading of cars and receiving of freight and charges therefor.

Was read a third time at length and passed.

Yeas, 25; nays, 1.

Yeas:

Messrs:

Barbour	Forrester	Hamner	Leith
Bayles	Gardner	Heacock	Lowe
Davis	Glenn	Jones	Lusk
Doster	Gunn	King	Merritt

Miller	McWhorter	Spragins	Thomas
Moody	Reynolds	Strother	Wilson

—25.

Nays: Mr. Blackmon—1.

The Bill:

H. 903. To ratify, legalize and confirm all sales and conveyances heretofore made by electric light and power companies, water companies and street railway companies of all of their property and franchises to any corporation authorized by its charter, certificate of incorporation, or declaration of incorporation, to acquire, own or operate such properties and franchises, where said sales and conveyances have been made pursuant to and with the consent of all stockholders of such selling corporation or corporations; and requiring the purchasing corporation to fulfill all of the obligations, contracts and duties of the said selling corporation or corporations.

Was read a third time at length and passed.

Yeas, 24; nays, 1.

Yeas:

Messrs:

Barbour	Hamner	Lusk	Reynolds
Doster	Hayes	Merritt	Spragins
Forrester	Jones	Moody	Teasley
Gardner	King	McWhorter	Thomas
Glenn	Leith	Reese	Wilson
Gunn	Lowe	Reid	Wimberly

—24.

Nay: Mr. Bayles—1.

The Bill:

H. 1370. To provide a commission to investigate the charges made against the management of the Insane Hospital; to prescribe its powers and duties, and to pay the per diem, mileage and expenses thereof.

Was read a third time at length and passed.

Yeas, 22; nays, 3.

Yeas:

Messrs:

Barbour	Gunn	Lusk	Reese
Bayles	Hamner	Merritt	Reid
Davis	Hayes	Miller	Reynolds
Forrester	Horton	Moody	Spragins
Gardner	Leith	McWhorter	Wimberly
Glenn	Lowe		

—22.

Nays: Messrs. Blackmon, King, Overton—3.

The Bill:

H. 1249. To regulate the fees of the sheriffs for feeding prisoners confined in jail under charge or conviction of any indictable offense, and to provide the payment therefor.

Was taken up.

The following amendment was offered by the committee:

A BILL

To be entitled an act to regulate the fees of the sheriffs for feeding prisoners confined in jail under charge or conviction of any indictable offense, and to provide the payemnt therefor.

Section 1. Be it enacted by the Legislature of Alabama, That the sheriffs shall receive for feeding each prisoner in jail under charge of conviction of any indictable offense, to be paid by the State, according to the following scale, viz: For each prisoner when the number does not exceed ten, fifty cents per day. And for each additional prisoner when the number exceeds ten and does not exceed twenty, forty cents per day. And for each additional prisoner when the number exceeds twenty and does not exceed thirty, thirty cents per day. And for each additional prisoner when the number exceeds thirty and does not exceed fifty, twenty-five cents per day. And for each additional prisoner when the number exceeds fifty, twenty cents per day.

Section 2. All laws and parts of laws in conflict or inconsistent herewith are hereby repealed.

Which was adopted.

Yeas, 30; nays, 1.

Yeas:

Messrs:

Barbour	Gunn	Lusk	Reid
Bayles	Hamner	Merritt	Spragins
Blackmon	Hayes	Miller	Strother
Davis	Heacock	Moody	Thomas
Doster	Hinson	McWhorter	White
Forrester	Jones	Overton	Wilson
Gardner	King	Reese	Wimberly
Glenn	Lowe		

—30.

Nay: Mr. Reynolds—1.

And the bill as thus amended

Was read a third time at length and passed.

Yeas, 27; nays, 1.

Yeas:

Messrs:

Barbour	Gunn	Lowe	Reid
Bayles	Hamner	Lusk	Spragins
Blackmon	Hayes	Merritt	Strother
Davis	Hinson	Miller	Teasley
Doster	Jones	Moody	White
Forrester	King	Overton	Wimberly
Gardner	Leith	Reese	

—27.

Nays: Mr. Reynolds—1.

The Bill:

H. 576. To provide for the incorporation of mutual aid, benefit and industrial companies or associations.

Was taken up.

Mr. Blackmon moved to lay the bill on the table, which was lost.

Yeas, 8; nays, 14.

Yeas:
Messrs:
Blackmon King Miller Teasley
Jones Leith Spragins Thomas

—8.

Nays:
Messrs:
Barbour Gunn McWhorter Reynolds
Bayles Hamner Overton Strother
Davis Hayes Reid Wimberly
Doster Lusk

—14.

And the bill was read a third time at length and passed.

Ayes, 13; nays, 12.

Yeas:
Messrs:
Barbour Gunn McWhorter White
Bayles Hamner Overton Wilson
Davis Hayes Reese Wimberly
Doster,

—13.

Nays:
Messrs:
Blackmon Lowe Miller Strother
Jones Lusk Reynolds Teasley
King Merritt Spragins Thomas

—12.

The Bill:

H. 1287. To legalize the registration of, and to make self-proving, deeds of conveyances wvhich have been recorded in the office of the judge of probate of the proper county before the passage of this act, but not within the time heretofore required by law.

Was taken up.

The following amendment was offered by the committee.

Amend by adding to the caption at the end thereof the following: "and all such conveyances as shall be

recorded within two years after the approval of this act."

Also amend by inserting after the word "law" in the seventh line of section 1 the following: "and all such conveyances as shall be recorded within two years after the approval of this act."

Which was adopted.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Merritt	Spragins
Blackmon	Heacock	Moody	Strother
Doster	Jones	McWhorter	Teasley
Forrester	King	Overton	Thomas
Gardner	Leith	Reese	White
Gunn	Lowe	Reid	Wilson
Hamner	Lusk	Reynolds	

—27.

And the bill as thus amended was read a third time at length and passed.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lusk	Reid
Bayles	Heacock	Merritt	Reynolds
Blackmon	Horton	Miller	Spragins
Doster	Jones	Moody	Strother
Gardner	King	Overton	Thomas
Glenn	Leith	Reese	Wilson
Gunn	Lowe		

—26.

The bill:

H. 1198. To amend sections 17 and 18 of an act to authorize cities, towns and other municipal corporations to make certain improvements on the side-walks, streets, avenues, alleys, highways or other public places of such city, town, or other municipal corporation; to construct sewers, to assess the costs of such improvements, or any part thereof, upon the property abutting such street, avenue, alley, highway, or other public

place or drained by such sewers, or against the right of way of any railroad so improved or drained by such sewers; to make such assessments a lien on such property and to regulate appeals from such assessments; to provide methods for the enforcement of such lien, and the payment of such assessments and penalties; and to authorize the issue of bonds to pay for such improvements, approved March 5, 1907.

Was read a third time, at length, and passed.

Yeas, 21; nays, 2.

Yeas:

Messrs:

Blackmon	Hamner	Merritt	Reid
Davis	Hayes	Miller	Reynolds
Doster	Jones	Moody	Strother
Forrester	King	McWhorter	Wilson
Glenn	Lusk	Overton	Wimberly
Gunn			

—21

Nays: Messrs. Barbour and Spragins—2.

The Bill:

H. 937. To amend Sec. 5 of an act entitled an act "To establish a home for indigent Confederate veterans residing in the State of Alabama who are unable to make a livelihood on account of physical disability or old age, and to make appropriations for improving and maintaining the same," approved Oct. 6th, 1903.

Was read a third time at length and passed.

Yeas, 25; nays, 1.

Yeas:

Messrs:

Barbour	Glenn	Jones	Reid
Bayles	Gunn	Leith	Strother
Blackmon	Hamner	Lowe	Teasley
Davis	Heacock	Merritt	Thomas
Doster	Hinson	Miller	Wilson
Forrester	Horton	Moody	Wimberly
Gardner			

—25.

Nays Mr. Spragins—1.

The Bill:

H. 1224. To fix the time for the holding of the examinations for teachers in the public schools of the State of Alabama.

Was read a third time at length and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Barbour	Glenn	Leith	Reynolds
Bayles	Gunn	Lowe	Strother
Blackmon	Hamner	Merritt	Teasley
Davis	Heacock	Miller	Thomas
Doster	Horton	Moody	Wilson
Forrester	Jones	McWhorter	Wimberly
Gardner			

—25.

The Bill:

H. 1133. To authorize cities of the State of Alabama having, according to the next preceding Federal census, a population of more than thirty-five thousand, to compel the construction and maintenance of bridges, viaducts and tunnels and their approaches, over, under or across railroad tracks within the city limits; and to provide for defraying the expense of the same.

Was taken up.

Mr. Thomas moved to lay the bill on the table.

Which was lost.

Yeas, 12; nays, 13.

Yeas:

Messrs:

Blackmon	Forrester	King	Spragins
Davis	Heacock	Leith	Teasley
Doster	Jones	Reese	Thomas

—12.

Nays:

Messrs:

Bayles	Merritt	McWhorter	Strother
Hamner	Miller	Overton	Wilson
Hayes	Moody	Reynolds	Wimberly
Lusk			

—13.

Mr. Blackmon offered the following amendment:

"Amend by striking out section one," and Mr. Blackmon moved to lay the bill and amendment on the table.

Which was lost.

Yeas, 13; nays, 16.

Yeas:

Messrs:

Barbour	Forrester	King	Spragins
Blackmon	Heacock	Leith	Teasley
Davis	Jones	Reese	Thomas
Doster			

—13.

Nays:

Messrs:

Gardner	Lusk	McWhorter	Strother
Glenn	Merritt	Overton	White
Hamner	Miller	Reid	Wilson
Hayes	Moody	Reynolds	Wimberly

—16.

The following amendment was offered by Mr. Spragins:

Amend by adding after word "necessary" in second line of the second section the following words: "to the safety of the traveling public."

Which was adopted.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Merritt	Reynolds
Blackmon	Hayes	Miller	Spragins
Davis	Heacock	Moody	Strother
Doster	Jones	McWhorter	Teasley
Forrester	King	Overton	White
Gardner	Leith	Reese	Wimberly
Glenn	Lusk	Reid	

—27.

On motion of Mr. Lusk the amendment offered by Mr. Blackmon was laid upon the table.

Mr. Spragins offered the following amendment:

To amend by adding the following section:

Section 3 1-2. The railroad companies so ordered by such governing body to construct and maintain viaducts, bridges and tunnels shall have the right of appeal to any court, having chancery jurisdiction in the county in which the city is situated, from the order of such governing body and from any order made pending such railroad companies for their failure to construct and maintain such viaducts, bridges and tunnels. On such appeal the railroad companies shall give such bond as may be prescribed by said chancery court.

Which was adopted.

Yeas, 29; nays, 2.

Yeas:

Messrs:

Barbour	Gunn	Lowe	Spragins
Bayles	Hamner	Merritt	Strother
Blackmon	Hayes	Miller	Teasley
Davis	Heacock	Moody	Thomas
Doster	Hinson	McWhorter	White
Forrester	Horton	Overton	Wilson
Gardner	Jones	Reynolds	Wimberly
Glenn			

—29.

Nays: Messrs. Lusk, Reid—2.

And the bill as thus amended,

Was read a third time at length and passed.

Yeas, 20; nays, 12.

Yeas:

Messrs:

Bayles	Hamner	Moody	Spragins
Davis	Hayes	McWhorter	Strother
Gardner	Lusk	Overton	White
Glenn	Merritt	Reid	Wilson
Gunn	Miller	Reynolds	Wimberly

—20.

Nays:

Messrs:

Blackmon	Heacock	King	Teasley
Doster	Hinson	Leith	Thomas
Forrester	Jones	Reese	

—12.

The Bill:

H. 928. To prohibit the sale of hop-jack, hop-tea, hop-weiss, hop-ale, malt tonic, or other beverages, the product of maltose or glucose at any place where the sale of spirituous, vinous or malt liquors are prohibited by law.

Was read a third time at length and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Lowe	Reynolds
Bayles	Hamner	Lusk	Spragins
Blackmon	Hayes	Miller	Strother
Davis	Jones	Moody	Teasley
Doster	King	McWhorter	Wilson
Forrester	Leith	Reid	Wimberly
Gardner			

—25.

The Bill:

H. 628. To amend sections one (1) and four (4) of an act entitled an act to amend sections 1116 (1547) 1117 (1548), 1118 (1549), 1119 (1550), and 1120 (1551) of the Code of Alabama of 1896, approved February 28th, 1903.

Was read a third time at length and passed.

Yeas, 16; nays, 9.

Yeas:

Messrs:

Barbour	Glenn	Jones	Reid
Doster	Gunn	King	Reynolds
Forrester	Hamner	McWhorter	Wilson
Gardner	Hayes	Overton	Wimberly

—16.

Nays:

Messrs:

Blackmon	Miller	Strother	Thomas
Lowe	Spragins	Teasley	Wilson
Lusk			

—9.

The Bill:

H. 1278. To amend section 8 of an act entitled an act to provide for the construction and maintenance of good public roads and bridges in the several counties of the State of Alabama, approved October 10, 1903.

Was read a third time at length and passed.

Yeas, 26; nays, 1.

Yeas:

Messrs:

Bayles	Gunn	Lowe	Reynolds
Blackmon	Hamner	Lusk	Spragins
Davis	Hayes	Merritt	Strother
Doster	Heacock	Moody	Thomas
Forrester	Hinson	McWhorter	White
Gardner	Jones	Overton	Wimberly
Glenn	King		

—26.

Nays: Mr. Miller—1.

The Bill:

H. 1378: To allow cities and towns to issue bonds to pay outstanding indebtedness not evidenced by bonds.

Was read a third time at length and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Barbour	Glenn	King	McWhorter
Bayles	Gunn	Leith	Overton
Blackmon	Hayes	Lusk	Reid
Davis	Heacock	Merritt	Spragins
Doster	Horton	Miller	Thomas
Forrester	Jones	Moody	Wilson
Gardner			

—25.

The Bill: *Compensation of assistant clerk*

H. 856. To fix the compensation of the assistant clerk in the office of the commissioner of agriculture and industries and to make appropriations therefor.

Was read a third time, at length, and passed.

Yeas, 12; nays, 8.

Yeas:

Messrs:

Davis	Hayes	Merritt	Overton
Forrester	Heacock	Miller	Strother
Gunn	Leith	Moody	Wilson

—12.

Nays:

Messrs:

Bayles	King	Lusk	Reynolds
Jones	Lowe	McWhorter	Spragins

—8.

The Bill:

H. 1328. To prescribe the qualifications and additional duties of county superintendents, and to provide a more efficient supervision for the public schools of Alabama.

Was taken up.

The following amendment was offered by Mr. Merritt:

"Amend by striking out the words in the amendment as follows: 'and either a 1st, 2nd, or 3rd grade teachers license.'"

Pending the further consideration of this bill

RECESS.

The hour of one o'clock having arrived the Senate took a recess until four o'clock p. m.

AFTERNOON SESSION.

Wednesday, August 7, 1907.

The Senate reassembled at 3.30 o'clock.

ROLL CALL.

On a call of the roll a quorum of the Senate was present.

CONFERENCE REPORT.

Mr. Teasley from the Committee of Conference on the disagreement of the two Houses on the Senate amendments to House bill 987. Submitted the following report:

To the Senate and House of Representatives:

We the committee of conference on the disagreement of the two Houses over the Senate amendment to House bill No. 987, respectfully recommend and report that the Senate amendment be adopted, with the following amendment thereto:

Section 13 1-2. Provided however, that no criminal proceedings shall be commenced, instituted or had under any of the provisions of this bill until 30 days after the county tax collector shall have given notice in writing to the person who violates the provisions of this bill, and provided further, that if any criminal proceedings are commenced or had for violations of any of the provisions of this bill the defendant in such proceedings can have the same abated by the payment of the costs and taxes due.

Chas. B. Teasley,
Robt. E. Spragins,
Jno. W. Overton,
Committee on part of Senate.
P. B. Mastin,
A. D. Pitts,
J. B. Sanford,
Committee on part of House.

Mr. Merritt endeavored to lay said report on the table.
Which was lost.

Yeas, 12; nays, 13.

Yeas:

Messrs:

Bayles	Hamner	Lusk	Reynolds
Forrester	Leith	Merritt	Strother
Gardner	Lowe	Miller	White

—12.

Nays:

Messrs:

Doster	Hinson	Moody	Teasley
Glenn	Jones	Reese	Wilson
Gunn	King	Spragins	Wimberly
Heacock			

—13.

Mr. Merritt then moved to indefinitely postpone action on said report.

Mr. Reese moved to lay Mr. Merritt's motion on the table.

Which prevailed.

Yeas, 15; nays, 14.

Yeas:

Messrs:

Davis	Hayes	King	Spragins
Doster	Heacock	Moody	Teasley
Glenn	Hinson	Overton	Wimberly
Gunn	Jones	Reese	

—15.

Nays:

Messrs:

Bayles	Lowe	McWhorter	Strother
Gardner	Lusk	Reid	White
Hamner	Merritt	Reynolds	Wilson
Leith	Miller		

—14.

Mr. Lusk moved to recommit said report to the committee from which it came.

Mr. Teasley moved to lay Mr. Lusk motion on the table.

Which was lost.

Yeas, 15; nays, 15.

Yeas:

Messrs:

Blackmon	Gunn	Jones	Spragins
Davis	Hayes	King	Teasley
Doster	Heacock	Overton	Wimberly.
Glenn	Hinson	Reese	

—15.

Nays:

Messrs:

Barbour	Leith	Miller	Reynolds
Bayles	Lowe	Moody	Strother
Gardner	Lusk	McWhorter	Wilson
Hamner	Merritt	Reese	

—15.

The President voting nay.

And the motion of Mr. Lusk then prevailed and said report was recommitted.

Yeas, 16; nays, 15.

Yeas:

Messrs:

Barbour	Hamner	Merritt	Reid
Bayles	Leith	Miller	Reynolds
Forrester	Lowe	Moody	Strother
Gardner	Lusk	McWhorter	Wilson

—16.

Nays:

Messrs:

Blackmon	Gunn	Jones	Spragins
Davis	Hayes	King	Teasley
Doster	Heacock	Overton	Wimberly.
Glenn	Hinson	Reese	

—15.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in the Senate amendments to the following House bill:

H. 1249. To regulate the fees of the sheriffs for feeding prisoners confined in jail under charge or conviction of any indictable offense, and to provide the payment therefor.

Cyrus B. Brown, Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in the S. J. R. No. 133 relative to the donation of land by Dr. Wm. P. Spratling for the location of an epileptic colony in this State.

And,

Herewith returns same to the Senate.

And,

The House has concurred in the Senate amendment to the bill H. 1287. To legalize the registration of and to make self proving deeds of conveyance which have been recorded in the office of the judge of probate of the proper county before the passage of this act, but not within the time heretofore required by law.

And,

The House has concurred in and adopted the amendment proposed by the governor to the bill

S. 509. To provide for the organization, incorporation, government and regulation of cities and towns and to define the rights, powers, duties, jurisdiction and authority of such cities and towns and of the officers thereof, and to prescribe penalties for violations of the provisions of this act, by a majority vote of the whole House, the vote on said amendment being,

Yeas, 59; nays, 0.

And,

The House herewith returns the said bill to the Senate together with the governor's amendment.

And,

The House has passed the following Senate bills:

S. 529. To amend sections 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 16, 17 and 18 of, and to add sections 9 1-2, 16 1-2, 17 1-2, 24 and 25, to, an act entitled an act to amend, re-

construct and provide for the enforcement of the laws relating to the public health, approved Oct. 9th, 1903.

Ad returns same herewith to the Senate.

And,

The House has concurred in and adopted the report of the conference committee on the disagreement of the two Houses on the House amendment to the bill:

S. 510. To authorize and require the governor to designate and appoint one of the judges of the city court of Birmingham as special judge of the criminal court of Jefferson county.

And returns same herewith to the Senate.

Cyrus B. Brown, Clerk.

CONFERENCE COMMITTEE REPORT.

Mr. President:

We the undersigned, who were appointed a conference committee on the part of the Senate and House upon Senate bill 510 entitled a bill to be entitled an act to authorize the governor to designate and appoint one of the judges of the city court of Birmingham as special judge of the criminal court of Jefferson county, beg leave to report and recommend that the House recede from its amendment and recommend the adoption of the bill by the House as it passed the Senate.

Nathan Miller,

H. P. Merritt,

Norman Gunn,

Committee on part of Senate.

J. T. Glover,

Geo. H. Parker,

Committee on the part of the House.

On motion of Mr. Miller the Senate concurred in and adopted the above report of the conference committee.

Yeas, 28; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Leith	Reese
Bayles	Hamner	Lusk	Reid
Blackmon	Hayes	Merritt	Reynolds
Davis	Heacock	Miller	Spragins
Doster	Hinson	Moody	Strother
Forrester	Horton	McWhorter	Thomas
Gardner	Jones	Overton	Wilson

—28.

REPORT OF CONFERENCE COMMITTEE.

Mr. President:

Your committee of conference on the disagreement of the two Houses on the Senate amendment to the bill,

H. 1233. To make it unlawful for any person to carry about his person a pistol or firearm of any other kind or description, or air gun, other than on his own premises or from the place of purchasing such firearm or air gun, to his premises or place of business, shorter than twenty four inches in length and to fix the burden of proof and the punishment for the violation thereof, beg leave to report as follows:

1. We recommend that the Senate recede from its amendment to said bill and that the following substitute be adopted:

A BILL

To be entitled an act to regulate the carrying of certain firearms; to prescribe penalties for violations of this act and to require licenses to be taken out by persons owning revolvers or pistols in certain cases.

Section 1. Be it enacted by the Legislature of Alabama, that every person owning, or having in his possession a revolver or pistol is hereby required to take out a license from the judge of probate of the county in which he resides to own or possess the same, such license shall be good for the calendar year in which it is issued

and the judge of probate shall collect twenty-five cents for each license issued, and a record shall be made at the time of the issuance of such license of the name, residence occupation and color of the person applying for such license.

Section 2. That any person having a pistol or revolver concealed about his person who has not taken out a license to own or possess the same as required by section 1 of this act shall be guilty of a misdemeanor and shall on conviction be punished by hard labor for the county for not more than one year nor less than three months and shall be fined a sum not less than fifty nor more than five hundred dollars.

Section 3. That any person having a pistol or revolver concealed about his person who has not obtained a license to own or possess the same shall be guilty of a misdemeanor and on conviction shall be punished by a fine of not less than fifty nor more than five hundred dollars and may be imprisoned or sentenced to hard labor for the county for not more than six months.

Section 4. Any person, before the arrest of a party convicted of violation of this act, who shall give information by affidavit of the violation of this act by any person shall be entitled to receive one half of the fine imposed, on the order of the judge, upon the conviction of the person arrested, and the sheriff is hereby prohibited from giving information to the public at large of the persons who gave such information upon which the arrest was made.

Section 5. That any person carrying about his person off of his own premises a pistol or revolver openly shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than one nor more than five hundred dollars and may also be sentenced to hard labor for the county for not more than twelve months. Provided that the provisions of this act shall not apply to the military or officers of the law whose duty it is to make arrests while in the actual discharge of their duty.

Section 6. That any person may by presenting to the judge of probate or to the judge of the circuit court a petition signed by not less than five householders and

freeholders of the county stating that such person is of good moral character and is not turbulent and is a law abiding citizen obtain permission to carry a pistol for a period of not more than ten days upon showing to such judge danger to the person or reasonable apprehension thereof. Provided that such person shall have on his person the written permit.

Section 7: This act shall not be construed to affect any defense that a person now has under the laws of Alabama.

Evans Hinson,
H. F. Reese,
E. P. Thomas,

Conferees on the part of the Senate.

Gaston Gunter,
M. W. Rushton,
W. E. Urquhart,

Conferees on the part of the House.

CONFERENCE REPORT.

On motion of Mr. Lusk, the foregoing report of the conference committee on the disagreement of the two Houses on the Senate amendments to House bill No. 1233, the title to which is set out in said report, was recommitted to the committee from whence it came.

Yeas, 14; nays, 12.

Yeas:

Messrs:

Barbour	Leith	McWhorter	Strother
Bayles	Lowe	Overton	White
Gunn	Lusk	Reid	Wilson
Hamner	Merritt		

—14.

Nays:

Messrs:

Davis	Jones	Moody	Teasley
Glenn	King	Reese	Thomas
Hinson	Miller	Spragins	Wimberly

—12.

MESSAGE FROM THE HOUSE.

Mr. President :

The House has amended, as therein shown, and as amended has passed :

S. 574. To create a commission whose duty it shall be to erect a statute of the late Mr. Jefferson Davis in front of the capitol in Montgomery, Alabama, and to appropriate the sum of fifteen thousand dollars for the purpose of erecting such statute.

And sends same to the Senate.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Moody, the Senate concurred in the following amendment adopted by the House to Senate bill No. 574, the title to which is set out in the foregoing message from the House, to-wit :

Amend section 1 of Senate bill No. 574 :

Amend by striking out in the third and fourth lines of section one the words "Hon. W. C. Jones of Wilcox county and Hon. Archie Carmichael" and inserting in lieu thereof the words "and two others to be appointed by the governor."

Also amend section 4 by adding thereto the following :

Provided, that the appropriation herein made shall not be available until the governor shall certify to the commission that the condition of the State treasury will warrant the said expenditure.

Yeas, 24; nays, 0.

Yeas :

Messrs :

Barbour	Gunn	King	Reese
Bayles	Hamner	Lowe	Reid
Blackmon	Hayes	Lusk	Reynolds
Davis	Heacock	Miller	Strother
Doster	Horton	Moody	Thomas
Gardner	Jones	McWhorter	Wilson

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended, as therein shown, and as amended has passed the following Senate bill:

S. 552: To fix the times and places of holding the chancery court in the Northern chancery division of Alabama.

And herewith returns the same to the Senate.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Strother, the Senate concurred in the following amendment adopted by the House to Senate bill No. 552, the title to which is set out in the foregoing message from the House, to-wit:

Amend by striking out of the bill subdivisions seven, eight, nine and ten and insert in lieu thereof the following:

In the Eleventh district composed of the county of Randolph, at Wedowee, on the first Monday in June and December and may continue three days. In the first district composed of the county of Chambers, at La-Fayette, on the first Thursday in June and December and may continue three days. In the third district composed of the county of Tallapoosa, at Dadeville, on the second Monday in June and December and may continue three days.

In the fourth district composed of the county of Coosa, at Rockford on the first Tuesday after the second Monday in June and December and may continue three days.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Barbour	Glenn	Leith	Overton
Bayles	Gunn	Lusk	Reese
Davis	Hamner	Miller	Teasley
Doster	Hayes	Moody	Wilson
Gardner	King	McWhorter	Wimberly

REPORT FROM THE COMMITTEE ON ENROLLED BILLS.

Mr. President:

The committee on Enrolled Bills report that they have examined the following Senate bills:

S. 552. To fix the times and places of holding the chancery court in the Northeastern Chancery Division of Alabama.

S. 509. To provide for the organization, incorporation, government and regulation of cities and towns and to define the rights, powers, duties, jurisdiction and authority of such cities and towns and of the officers thereof, and to prescribe penalties for violations of the provisions of this act.

S. 529. To amend sections 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 16, 17 and 18 of and to add sections 9 1-2, 16 1-2, 17 1-2, 24 and 25 to an act entitled an act to amend, reconstruct and provide for the enforcement of the laws relating to the public health, approved October 9, 1903.

And found to be correctly enrolled.

Frank S. Moody,
Chairman.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read at length by the secretary, signed the above Senate bills, the titles of which are set out in the foregoing report from the committee on Enrolled Bills. The reading at length of said bills having been dispensed with, by a two-thirds vote of a quorum of the Senate present.

REPORT FROM THE COMMITTEE ON ENROLLED BILLS.

Mr. President:

The committee on Enrolled Bills report that they have examined the following bill, to-wit:

S. 574. An act, to create a commission whose duty it shall be to erect a statue of the late Mr. Jefferson Davis in front of the capitol in the city of Montgomery,

Alabama, and to appropriate the sum of fifteen thousand dollars for the purpose of erecting such statue.

And found the same to be correctly enrolled.

Frank S. Moody,
Chairman.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after its title had been publicly read at length by the secretary, signed the above Senate bill, the title of which is set out in the foregoing report from the committee on Enrolled Bills. The reading at length of said bill having been dispensed with, by a two-thirds vote of a quorum of the Senate present.

BILLS ON THIRD READING.

The bill,

H. 1270. To require the tax assessor of Montgomery county to make annually, a lot book showing in abstract form, all legal subdivisions which have been or which may be hereafter made of all property in Montgomery county, and the name of the person, firm or corporation to whom each lot or subdivision is assessed for the current year; and to provide compensation therefor.

Was read a third time, at length, and passed.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Barbour	Gardner	Leith	Reynolds
Bayles	Glenn	Lowe	Teasley
Blackmon	Gunn	Merritt	White
Davis	Hamner	Moody	Wilson
Doster	Hinson	Overton	Wimberly
Forrester	Jones		

—22.

The bill,

H. 280. To furnish blanks to justices of the peace, notaries public and ex-officio justices of the peace, and constables, necessary for their business in their courts and to make provisions for the payment thereof.

Was read a third time, at length, and passed.

Yeas, 12; nays, 5.

Yeas:

Messrs:

Barbour	Jones	Lusk	Reese
Gunn	King	Moody	Reid
Hamner	Leith	McWhorter	Teasley

—12.

Nays:

Messrs:

Bayles	Glenn	Thomas	White
Gardner			

—5.

The bill,

H. 1327. To amend Sec. 1, 2, 3 of an act entitled an act to provide a new charter for the town of Cordova, Walker county, Alabama, approved December 13th, 1900.

Was read a third time, at length, and passed.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Leith	Overton
Bayles	Hamner	Lusk	Reese
Blackmon	Heacock	Miller	Reid
Davis	Horton	Moody	Strother
Doster	King	McWhorter	Teasley

—20.

The bill,

H. 1358. To better provide for the payment of witnesses in criminal cases who are summoned and appear for the State in the several courts of Walker county.

Was read a third time, at length, and passed.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Barbour	Glenn	Leith	Overton
Bayles	Gunn	Lusk	Strother
Davis	Hamner	Miller	Teasley
Doster	Hayes	Moody	Thomas
Gardner	King	McWhorter	Wilson

—20.

The bill,

H. 1296. To authorize and empower the court of county commissioners of Butler county to employ a janitor for Butler county who shall be under the control and direction of the sheriff of Butler county, to prescribe his duties and to provide for the payment of such janitor.

Was read a third time, at length, and passed.

Yeas, 18; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Miller	Reid
Davis	Jones	Moody	Teasley
Gardner	King	McWhorter	Thomas
Glenn	Leith	Reese	Wilson
Gunn	Lusk		

—18.

The bill,

H. 977. To authorize the board of revenue and road commissioners of Mobile county to issue bonds for the purpose of improving the harbor and river front at Mobile, Alabama.

Was read a third time, at length, and passed.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	McWhorter	Strother
Bayles	Jones	Reese	Teasley
Davis	King	Reid	Thomas
Gardner	Lusk	Reynolds	White
Glenn	Miller	Spragins	Wilson
Hamner	Moody		

—22.

The bill,

H. 1220. To amend sections two (2) and three (3) of an act entitled, "An act to amend sections 897 and 911 of chapter 19, article 1, of the code of Alabama, approved March 6, 1907.

Was read a third time, at length, and passed.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Barbour	Hayes	Lusk	Reid
Bayles	Hinson	Merritt	Spragins
Davis	Jones	Moody	Teasley
Forrester	King	McWhorter	Thomas
Glenn	Leith	Reese	Wilson
Gunn			

—21.

The bill,

H. 1092. For the relief of J. W. Angle.

Was read a third time, at length, and passed.

Yeas, 19; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lusk	Reynolds
Bayles	Hayes	Miller	Teasley
Davis	Jones	Moody	Thomas
Glenn	King	Reese	Wilson
Gunn	Leith	Reid	

—19.

The bill,

H. 1288. To authorize the court of county commissioners, board of revenue or other courts of like jurisdiction of Walker county, to contract for supplying the court rooms and the offices of the county officers with water, gas, electric lights, heat, telephones and such other conveniences as such court may deem necessary or advisable, and to keep the said rooms and offices in good condition and order, and to provide for the payment of same.

Was read a third time, at length, and passed.

Yeas, 18; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	Merritt	Strother
Bayles	Hamner	Miller	Teasley
Davis	King	Moody	Thomas
Doster	Leith	McWhorter	Wilson
Glenn	Lusk		

—18.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the amendment proposed by the governor to the bill, S. 384. To provide for the establishing of high schools in this State and to make appropriations for said schools, by a majority vote of the whole House, the vote on said amendment being, Yeas, 60; nays, 7.

And returns said bill together with the governor's amendment to the Senate.

And, the House has concurred in the Senate amendment to the bill,

H. 1133. To authorize cities of the State of Alabama, having, according to the next preceding census a population of more than thirty-five thousand to compel the construction and maintenance of bridges, viaducts and tunnels, and their approaches, over, under or across railroad tracks within the city limits; and to provide for defraying the expense of the same.

And,

The House has received the accompanying message from his excellency, the governor, proposing an amendment to H. 1339:

H. 1339. To exempt from taxation all property of any person, firm or corporation who has heretofore patented and owns exclusively, or has heretofore secured and owns exclusively, or who shall hereafter patent and own exclusively, or shall hereafter secure and own exclusively the patent right, on any article designed for the purpose of protecting human life and property and which has not heretofore been manufactured for sale except such property as is devoted exxclusively to the manufacture of such article and eo exempt from taxation the stock held by stock holders of such corporation.

And the House has concurred in and adopted the amendment proposed by the governor, the vote on said amendment being: Yeas, 53; nays, 7. .

And herewith sends the same to the Senate for its consideration.

Cyrus B. Brown,
Clerk.

MESSAGE FROM THE GOVERNOR.

To the House of Representatives,

Gentlemen: I herewith return to you House bill 1339 "entitled an act to exempt from taxation all property of any person, firm or corporation that has heretofore patented and owns exclusively, or has heretofore secured and owns exclusively, or who shall hereafter patent or own exclusively, or who shall hereafter secure and own exclusively the patent right, on any article designed for the purpose of protecting human life and property, and which has not heretofore been manufactured for sale except such property as is devoted exclusively to the manufacture of such articles and to exempt from taxation the stock held by stock holders of such corporation." And suggest that said bill be amended as follows: Amend the caption of the bill by striking out the words "except such property as" and by adding in lieu thereof the word "which" and by adding after the word "article" in the tenth line "And manufactured products." Also amend the bill by adding the words "patent rights" after the word "upon" in the ninth line, and by striking out the words "except such property as" where it occurs in the ninth and tenth lines and substituting in lieu thereof the word "which." And by adding after the word "article" in the eleventh line the words "And the manufactured products thereof." So that when amended it shall read as follows:

A BILL

To be entitled an act to exempt from taxation all property of any person, firm or corporation who has heretofore patented and owns exclusively, or has heretofore secured and owns exclusively, or who shall hereafter patent and own exclusively, or shall hereafter secure and own exclusively the patent right, or any article designed for the purpose of protecting human life and property, and which has not heretofore been manufactured for sale, which is devoted exclusively to the manufacture of such article, and the manufactured products and patent

rights, and to exempt from taxation the stock held by stockholders of such corporation.

Section 1. Be it enacted by the Legislature of Alabama, That any person, firm or corporation who has heretofore patented and owns exclusively, or who has heretofore secured and owns exclusively, or shall hereafter patent and own exclusively, or shall hereafter secure and own exclusively patent right on any article designed for the purpose of protecting human life and property, which article has not heretofore been manufactured for sale, be exempt for a period of ten years from the passage of this act from taxation upon all of its property which is devoted exclusively to the manufacture of such article and the manufactured products thereof and patent rights, and that the stock of the stockholders of such corporation be exempt from taxation for said period of ten years.

Section 2. Be it further enacted, That all laws and parts of laws, general or special, in conflict with the provisions of this act, be and the same are hereby repealed.

B. B. Comer,
Governor.

HOUSE AND GOVERNOR'S MESSAGE.

On Motion of Mr. Lusk, the Senate concurred in and adopted the amendment proposed by the governor to House bill No. 1339, the title to which is set out in the foregoing message from the House, and the proposed amendment is contained in the forgoing message from the governor.

Yeas, 28; nays, 0.

Yeas:

Messrs:

Barbour	Gunn	King	Reid
Bayles	Hamner	Leith	Reynolds
Blackmon	Hayes	Lowe	Spragins
Davis	Heacock	Lusk	Teasley
Forrester	Hinson	Merritt	Thomas
Gardner	Horton	McWhorter	Wilson
Glenn	Jones	Overton	Wimberly

—28.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 565. To provide for the establishment of a bureau to collect, compile and publish cotton statistics and to prescribe the duties and powers of said bureau; to make appropriations for the maintenance thereof; to require ginnermen and others to make reports thereto; and to provide penalties for the violations of the provisions of this act.

And sends same herewith to the Senate.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Leith, the Senate concurred in the following amendment adopted by the House, to Senate bill No. 565, the title of which is set out in the foregoing message from the House, to-wit:

Amend section 3 by striking out all that part of section beginning with "shall secure a license to operate a ginnery," and substituting therefor the words, "shall notify the director of their intention to operate a ginnery during the current season and requesting such blanks as herein provided for the making of reports.

Amend by striking out section 4.

Amend section 5 by striking out the words "and the gross weight of each bale in line five.

Amend section 8 by striking out the word *are* in line seven, and substituting the word *all* in its place.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Barbour	Glenn	Leith	Reid
Bayles	Hamner	Lowe	Reynolds
Blackmon	Hayes	Lusk	Strother
Davis	Hinson	Merritt	Thomas
Doster	Horton	Miller	Wilson
Forrester	Jones	McWhorter	Wimberly
Gardner	King		

REPORT FROM THE COMMITTEE ON ENROLLED BILLS.

Mr. President:

The committee on Enrolled Bills, report that they have examined the following Senate bills:

S. 551. To submit to the qualified electors of the State at the general election to be held on the first Tuesday after the first Monday in November 1908 for their consideration an amendment to section 93 of article IV of the Constitution so as to provide that the State may under appropriate laws cause the net proceeds from the State convict fund to be applied to the construction, repair and maintenance of public roads for the State and the Legislature may also make additional appropriations for that purpose.

S. 61. To establish a colony for epileptics in Alabama, and to provide means for carrying the same into effect.

S. 565. To provide for the establishment of a bureau to collect, compile and publish cotton statistics and to prescribe the duties and powers of said bureau; to make appropriations for the maintenance thereof; to require ginnermen and others to make reports thereto; and to provide penalties for the violations of the provisions of this act.

S. 384. To provide for the establishment of high schools in this State, and to make appropriations for said schools.

S. 510. To authorize and require the governor to designate and appoint one of the judges of the city court of Birmingham as special judge of the criminal court of Jefferson county.

And found the same to be correctly enrolled.

Frank S. Moody,
Chairman.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read at length by the secretary, signed the above Senate

bills, the titles of which are set out in the foregoing report from the committee on Enrolled Bills, the reading at length of said bills having been dispensed with, by a two-thirds vote of a quorum of the Senate present.

REPORT FROM THE COMMITTEE ON ENROLLED BILLS.

Mr. President:

The committee on Enrolled Bills, report that they have examined the following Senate bills:

S. 321. To amend section 3700 of the Code of Alabama of 1896, as amended by an act of the Legislature of Alabama approved February 12th, 1903.

S. 600. To make an appropriation for the erection of monuments commemorating the heroic deeds of Alabama's sons, to be expended by the Alabama Monument Commission, with the approval of the governor.

S. 314. To provide for the taking of the census of the school children in the State of Alabama, and to provide punishment for the making of false enumerations.

S. 637. For the payment of the expenses of the Legislature and executive and judicial officers of the State in attending the funeral of the late Senator Pettus.

S. 632. "To provide for the construction, repairing, working, making, maintaining, and protection of the public roads of Geneva county, and to provide for the levying of the tax for the same, and for punishing road defaulters, and prescribing the duties of the commissioners court with reference to said work, and for the punishment of violations of orders made by the commissioners court."

S. 557. To create the office of official stenographer for Walker county, Alabama; to provide for his appointment, fix his compensation and define his duties, and provide for special stenographers in certain cases.

S. 633. To regulate the taxing of dogs in Madison county, Alabama, and for the protection of sheep, cattle, horses, swine and other live stock in said county; to provide penalties for its violation; to repeal all laws in conflict.

S. 507. To appropriate four thousand (\$4,000.00) dollars out of the moneys arising from the sale of fertilizer tags, sale of licenses, or any other funds collected by the department of agriculture and industries and paid into the State treasury, not otherwise appropriated for the use of the department of agriculture and industries for the purpose of holding farmers' institutes, conducting experiments, gathering statistics, and for carrying out all laws now in existence or may hereafter be enacted for the betterment of the agricultural interests of the State.

S. 577. To fix the times and places of holding the circuit courts in the Fifth judicial circuit of Alabama.

S. 546. To amend sections 1, 2, 4, 5, 6, 8, 9, 13, 14 and 15 of an act entitled an "an act to regulate the registration, branding, sale, tagging and analysis of commercial fertilizers, acid phosphate, fertilizer materials and chemicals in the State of Alabama," approved Mar. 3, 1903. .

S. 131. To submit to the qualified electors of the State, at the general election to be held on the first Tuesday after the first Monday in November, 1908, for two associate justices of the supreme court, for their consideration an amendment to sections 46 and 48 of article 4 of the constitution so as to provide for biennial sessions of the legislature.

And find same to be correctly enrolled.

Frank S. Moody,
Chairman.

SIGNING OF BILLS.

The President of the Senate in the presence of the Senate, immediately after their titles had been publicly read at length by the secretary, signed the above Senate bills, the titles of which are set out in the foregoing report from the committee on Enrolled Bills. The reading at length of said bills having been dispensed with, by a two-thirds vote of a quorum of the Senate present.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has received a message from his excellency, the governor, proposing an amendment to the following House bill:

H. 558. To regulate the employment of child labor in certain mills, factories and manufacturing establishments in this State, and to provide for the inspection of the rooms, places and premises wherein they are worked and to adequately punish violations of this act.

And the House has concurred in and adopted the amendment proposed by the governor; the vote on said amendment being yeas, 50; nays, 13.

And herewith sends the same to the Senate for its consideration.

C. B. Brown, Clerk.

House of Representatives:

I herewith return H. 558 entitled "an act to regulate the employment of child labor in certain mills, factories and manufacturing establishments in this State and to provide for the inspection of the rooms, places and premises wherein they are worked and to adequately punish violations of this act.

I suggest the following amendments to said bill, viz:

1. Amend section one by inserting therein immediately after the words "establishment in this State," where said words first occur together in said section, the following words and figures: "and this provision shall be in force and effect from and after January 1, 1908. Further amend said section by striking out therefrom the following words: "one year after this bill becomes a law," and by inserting in lieu thereof the following words, viz: "one year after the provisions of this section as above set forth go into force and effect."

2. Further amend said bill by adding at the end of section two thereof the following words and figures, viz: "the provisions of this section shall be in force and effect from and after January 1, 1908."

3. Further amend said bill by adding thereto at the end of section three the following words and figures,

viz: "the provisions of this section shall be in force and effect from and after January 1, 1908.

B. B. Comer,
Governor.

HOUSE AND GOVERNOR'S MESSAGE.

On motion of Mr. Lusk the Senate concurred in and adopted the amendments proposed by the governor to House bill No. 558, the title to which is set forth in the foregoing message from the House, and said amendment is contained in the foregoing message from the governor.

Yeas, 27; nays, 2.

Yeas:

Messrs:

Barbour	Gunn	Merritt	Reynolds
Bayles	Hamner	Miller	Spragins
Blackmon	Heacock	Moody	Strother
Doster	Hinson	McWhorter	Tuasley
Forrester	Horton	Overton	Thomas
Gardner	King	Reese	Wilson
Glenn	Lusk	Reid	

—27.

Nays: Messrs. Jones, Wimberly—2.

Which was a majority of the whole number elected to the Senate.

REPORT FROM COMMITTEE ON REVISION OF THE JOURNAL.

Mr. Reese from the committee on revision of the journal made the following report:

Mr. President:

We the committee on the Revision of the Senate Journal, have in session, examined the Senate Journal for the 43rd, 44th, 45th, 46th, 47th, 48th, 49th legislative days, and find the same to be correct.

M. L. Leith,
Chairman.

Which on motion of Mr. Gardner was adopted.

MESSAGE FROM THE HOUSE.

Mr. President :

The House has received a message from his excellency, the governor, proposing an amendment to the following House bill :

H. 929. To alter or re-arrange the boundary lines of the city of Birmingham, Alabama.

And the House has concurred in and adopted the amendment proposed by the governor by a majority vote of the whole House; the vote on said amendment being Yeas 57, nays, 2;

And herewith sends the same to the Senate for its consideration.

Cyrus B. Brown,
Clerk.

To the House of Representatives;

I herewith return H. 929 entitled "an act to alter or re-arrange the boundary lines of the city of Birmingham, Alabama," and I suggest the following amendment thereto, viz:

Amend said bill by striking out the following words and figures where said words and figures occur together, to-wit:

"Thence westwardly along the north boundary of said right of way of said Birmingham Mineral Railroad Company to the east corporate line of North Birmingham; thence south along said eastern corporate line of North Birmingham to the center of Village Creek; thence west along the center of Village Creek to the center of Tennessee road where said road crosses Village Creek; thence southwesterly along center of Tennessee road to a point in center of Twenty-third avenue in North Birmingham; thence west along Twenty-third avenue to the county sewer; thence along center of said county sewer to the west boundary line of North Birmingham; thence north along the west boundary line of North Birmingham to center of Village Creek;" and substitute in lieu thereof the following words and figures, to-wit:

"Thence westward along the north boundary of said right of way of the said Birmingham Mineral Railroad

Company to the western boundary of the northeast quarter of the southwest quarter of section 18, township 17 south, range 2 west; thence north to the northwest corner of the northeast quarter of the southwest quarter of said section 18, township 17 south, range 2 west; thence west to the southwest corner of the southeast quarter of the northwest quarter of section 13, township 17 south, range 3 west; thence north to the northwest corner of the southeast quarter of the northwest quarter of said section 13, township 17 south, range 3 west; thence west to the southeast corner of the northeast quarter of the northeast quarter of section 15, township 17 south, range 3 west; thence south along the east line of said section 15, township 17 south, range 3 west to the boundary line of the town of North Birmingham; thence southward and westward along the western boundary line of said North Birmingham to the center of Village Creek."

August 7, 1907.

B. B. Comer,
Governor.

HOUSE AND GOVERNOR'S MESSAGE.

On motion of Mr. Lusk the Senate concurred in and adopted the amendments proposed by the governor to House bill No. 929, the title to which is set out in the foregoing message from the House and said amendment is contained in the foregoing message from the governor.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Bayles	Gunn	Lusk	Spragins
Blackmon	Hamner	Merritt	Strother
Davis	Hayes	McWhorter	Teasley
Doster	Hinson	Overton	Thomas
Forrester	King	Reid	Wilson
Gardner	Leith	Reynolds	Wimberly
Glenn	Lowe		

—26.

Which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has adopted the following House joint resolutions:

H. J. R. 361. Be it resolved by the House of representatives, the Senate concurring therein, that our representatives in the congress of the United States from the State of Alabama be requested to do all in their power to secure the passage of a federal law prohibiting interstate shipments of intoxicating liquors or beverages into prohibition districts of the various states.

H. J. R. 362. Be it resolved by the House of Representatives, the Senate concurring therein, That the several courts in Alabama be respectfully requested to enforce section 3239 of the revised statutes of the United States which requires tax stamps issued to liquor dealers by the United States to be posted in a conspicuous place.

And herewith sends same to the Senate.

Cyrus B. Brown,
Clerk.

HOUSE MESSAGE.

The Senate concurred in H. J. R. 361 and H. J. R. 362, set out in the foregoing message from the House.

REPORT FROM THE COMMITTEE ON ENROLLED BILLS.

Mr. President:

The committee on Enrolled Bills, report that they have examined the following Senate bills:

S. 629. To amend an act entitled "an act to establish a board of revenue for Jefferson county, and for the abolishment of the court of county commissioners of said county."

S. 123. To amend section 12 of an act entitled an act for the relief of needy confederate soldiers and sailors, resident citizens of Alabama, and their widows, approved the 10th day of February, 1899.

S. 620. For the relief of J .C. Webb, Jr., and J. T. Ballow.

S. 497. To provide that no license or tax of any character shall be required by State, county or municipality from the Tennessee Valley Fair Association or from those who conduct business under contract with it on its grounds during the time its annual fair is actually in progress.

S. 635. To amend sections 426, 427, 431, 434 and 456 of the code of 1896.

S. 486. To further protect and promote the propagation of fish, and to protect private interests in ponds, pools, lakes, or other reservoirs or bodies of water containing fish.

S. 619. For the relief of J. T. Ballow.

S. 108. To provide for paying persons who are convicted of felonies where they appeal to the supreme court when the cause is reversed and remanded or rendered.

S. 435. To confer on the governing bodies of towns and cities, which own and operate dispensaries in counties where no part of the net profits of such dispensaries are divided with the counties in which they are so owned and operated, the right, power and authority to give to such counties a part of the net profits of such dispensaries, not exceeding forty per cent thereof, to be used and expended by the governing bodies of such counties in the improvement of the public roads of such county or counties.

S. 519. To ratify, confirm and validate loans of money evidenced by notes or bonds and secured by mortgage or either, made by any city or town out of any funds belonging thereto.

S. 503. To further regulate and prohibit the sale or other disposition of spirituous, vinous, malt or intoxicating liquors, or the issuing of prescriptions by physicians for the sale or other disposition of such liquors.

S. 562. For the relief of Chas. G. Abercrombie & Company on unexpired license as future dealers.

S. 570. To authorize the auditor on certificate of the board of county examiners to restore confederate pensioners to the pension list and pay unpaid pensions,

where through mistake, omission or inadvertence dropped off the list.

And find same to be correctly enrolled.

Frank S. Moody,
Chairman.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read at length by the secretary, signed the above Senate bills, the titles of which are set out in the foregoing report from the committee on Enrolled Bills. The reading at length of said bill having been dispensed with, by a two-thirds vote of a quorum of the Senate present.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker of the House having signed the following House bills your signature thereto is requested:

H. 360. To prohibit the selling, giving away or otherwise disposing of spirituous, vinous or malt liquors or beverages in any of the voting precincts of Crenshaw county, Alabama, and to make it unlawful for the probate judge of said county to issue licenses to any person, firm or corporation to sell, give away or otherwise dispose of spirituous, vinous or malt liquors or other intoxicating liquors or beverages in any precinct of said county until the proposition shall have first been submitted to the qualified voters of the precinct in which the aforesaid liquors are to be sold, given away or otherwise disposed of, and to provide for an election therefor and the expense of holding an election and to punish the violations of the provisions of this act.

H. 1362. To establish a dispensary in and for the town of "Floral" in the county of Covington, State of Alabama, and to provide for the conduct and regulation of the same.

H. 1391. To prescribe the rules of evidence upon applications of confederate soldiers or sailors, resident

citizens of Alabama, and their widows for pensions under the pension laws of Alabama, as to proving the fact of service in the confederate army, or in the State troops of Alabama and that they did not desert, and to provide for a special session of the State and county boards of examiners during the year 1907 for the examination of applicants, and to repeal all laws and parts of laws in conflict with this act.

H. 113. To regulate the ginning of cotton for toll or hire in this State. To require all ginners of cotton for hire or toll to register all cotton brought to their gins in the name of the owner thereof, so far as can be ascertained, and to require of ginners of cotton for hire or toll to mark every bale of cotton ginned by them with proper marks or initials of the owner thereof so that the same can be identified; and to require the ginners to keep a register of said marks in a book which shall be open to the public for inspection and to punish violators of said act.

H. 1123. To exempt from taxation all the property, both real and personal, belonging to The Eastern Star.

H. 1127. To amend section 17 of an act entitled an act to provide a system of quarantine for this State, approved February 23, 1899.

H. J. R. 348. Relating to memorializing congress for deep water in Mobile bay.

H. 1090. To create the Sixteenth judicial circuit for the State of Alabama, to be composed of the counties of Blount, Etowah and St. Clair, to confer equity jurisdiction on said court as to matters arising in Blount and St. Clair counties and to provide for registers in chancery therein; to provide for the appointment and election of a judge and solicitor for said circuit and fix their salaries, and for the removal of pending causes and for the remanding of pending appeals to the new court; to regulate the convening of grand and petit juries in said circuit, and to authorize the judge of said circuit to adopt reasonable rules of practice to facilitate the business of the courts therein; to fix the time of holding courts in said circuit and places at which such courts shall be held and to require that a jury be demanded in civil causes.

H. 593. To confirm and ratify the lease of the north-east quarter of section sixteen of township five south of range two east, by the board of education of Baldwin county, Alabama.

H. 863. To establish a normal school for education of white male and female teachers at Moundville, in Hale county, Alabama.

H. 1397. To amend an act to make appropriations for the ordinary expenses for the executive, legislative and judicial departments of the State, for the interest on the public debt and for public schools.

H. 25. To define corrupt solicitation of legislators and provide adequate punishment therefor and the means to effectually enforce this act.

H. 1378. To allow cities and towns to issue bonds to pay outstanding indebtedness not evidenced by bonds.

H. 903. To ratify, legalize and confirm all sales and conveyances heretofore made by electric light and power companies, water companies and street railway companies, of all their property and franchises, to any corporation authorized by its charter, certificate of incorporation, or declaration of incorporation, to acquire, own or operate such properties and franchises, where said sales and conveyances have been made pursuant to and with the consent of all stock holders of such selling corporation or corporations; and requiring the purchasing corporation to fulfill all the obligations, contracts and duties of the said selling corporation or corporations.

H. 928. To prohibit the sale of hop-jack, hop-tea, hop-weiss, hop-ale, malt tonic or other beverage, the product of maltose or glucose at any place where the sale of spirituous, vinous, or malt liquors are prohibited by law.

H. 1224. To fix the time for the holding of the examinations for teachers in the public schools of the State of Alabama.

H. 937. To amend section five of an act entitled an act "To establish a home for indigent confederate veterans residing in the State of Alabama who are unable to make a livelihood on account of physical disability

or old age, and make appropriation for improving and maintaining same," approved October 6th, 1903.

H. 1324. To amend section 2904 of the Code of Alabama as now amended.

H. 1323. To appropriate fifteen hundred dollars for the purpose of furnishing and equipping the office of mine inspectors of this State with necessary and suitable furniture, apparatus, machines and all other necessary instruments.

H. 1342. To amend sections 14 and 16 of an act entitled "an act to prescribe rules and regulations relating to demurrage and car service and the charges therefor and the respective rights, duties, obligations, liabilities and remedies of common carriers by rail and shippers and consignees with respect to the furnishing of empty cars and the transportation and delivery of freight and delay of shippers and consignees in the loading and unloading of cars and the receiving of freight, and charges for such delay," approved February 28, 1907.

H. 1359. To provide for the refurnishing and in keeping in repair the State capitol and the several offices therein, and to provide for the improvement and keeping in order the State capitol grounds.

H. 324. To define and regulate negotiable instruments.

H. 1198. To amend sections 17 and 18 of an act to authorize cities, towns and other municipal corporations to make certain improvements on the sidewalks, streets, avenues, alleys, highways or other public places of such city, town, or other municipal corporation; to construct sewers, to assess the cost of such improvements or any part thereof, upon the property abutting such street, avenue, alley, highway, or other public place or drained by such sewers, or against the right of way of any railroad so improved or drained by such sewers; to make such assessment a lien on such property and to regulate appeals from such assessments; to provide methods for the enforcement of such lien, and the payment of such assessment and penalties; and to authorize the issue of bonds to pay for such improvement.

H. 1249. To regulate the fees of sheriffs for feeding

prisoners confined in jail under charge or conviction of any indictable offense and to provide the payment therefor.

H. 1278. To amend section 8 of an act entitled an act to provide for the construction and maintenance of good public roads and bridges in the several counties of the State of Alabama, approved October 10, 1903.

Cyrus B. Brown,
Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read at length by the secretary, signed the above Senate bills, the titles of which are set out in the foregoing message from the House, the reading at length of said bills having been dispensed with, by a two-thirds vote of a quorum of the Senate present.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker of the House having signed the following House bills your signature thereto is requested:

H. 1287. To legalize the registration of and to make self proving deeds of conveyance which have been recorded in the office of the judge of probate of the proper county before the passage of this act but not within the time heretofore required by law and all such conveyances as shall be recorded within two years after the approval of this act.

H. 1133. To authorize cities of the State of Alabama, having according to the next preceding Federal census, a population of more than thirty-five thousand, and to compel the construction and maintenance of bridges, viaducts and tunnels and their approaches, over, under or across railroad tracks within the city limits; and to provide for defraying the expense of the same.

H. 576. To provide for the incorporation of mutual aid, benefit and industrial companies or associations.

H. 1339. To exempt from taxation all property of

any person, firm or corporation who has heretofore patented and owns exclusively, or has heretofore secured and owns exclusively, or who shall hereafter patent and own exclusively, or shall hereafter secure and own exclusively the patent right, on any article designed for the purpose of protecting human life and property, and which has not heretofore been manufactured for sale, which is devoted exclusively to the manufacture of such article, and the manufactured products and patent rights, and to exempt from taxation the stock held by stockholders of such corporation.

H. 977. To authorize the board of revenue and road commissioners of Mobile county to issue bonds for the purpose of improving the harbor and river front at Mobile, Alabama.

H. 1092. For the relief of J. W. Angle.

H. 1288. To authorize the court of county commissioners, board of revenue or other courts of like jurisdiction of Walker county to contract for supplying the court rooms and the offices of the county officers with water, gas, electric lights, heat, telephones and such other conveniences as such court may deem necessary or advisable, and to keep the said rooms and offices in good condition and order and to provide for the payment of same.

H. 929. To alter and re-arrange the boundary lines of the city of Birmingham, Alabama.

H. 1358. To better provide for the payment of witnesses in criminal cases who are summoned and appear for the State in the several courts of Walker county.

H. 1296. To authorize and empower the court of county commissioners of Butler county to employ a janitor for Butler county, who shall be under the control and direction of the sheriff of Butler county, to prescribe his duties, and to provide for the payment of such janitor.

H. 280. To furnish blanks to justices of the peace, notaries public and ex-officio justices of the peace, and constables, necessary for their business in their courts and to make provisions for the payment therefor.

H. J. R. 361. Relative to securing a Federal law pro-

form series of text-books; to define the duties and powers of said commission and to make an appropriation for the carrying into effect this act, and to provide punishment and penalties for the violation of the same.

Cyrus B. Brown,
Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read at length by the secretary, signed the above House bills, the titles of which are set out in the foregoing message from the House, the reading at length of said bills having been dispensed with, by a two-thirds vote of a quorum of the Senate present.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has received the accompanying message from his excellency, the governor, proposing an amendment to the following House bill:

H. 1370. To provide a commission to investigate the charges made against the management of the Insane Hospitals; to prescribe its powers and duties and to pay the per diem, mileage and expenses thereof.

And the House has concurred in and adopted the amendment proposed by the governor by a majority vote of the whole House; the vote on said amendment being: Yes 54; nays, 0. And sends the same herewith to the Senate for its consideration.

Cyrus B. Brown,
Clerk.

MESSAGE FROM THE GOVERNOR.

To the House of Representatives:

I herewith return H. B. 1370, entitled an act to provide for a commission to investigate the charges made against the management of the insane hospitals; to prescribe its powers and duties and to pay the per diem, mileage and expenses thereof.

hibiting interstate shipments of intoxicating liquors or beverages into prohibition districts of the various States.

H. 1270. To require the tax assessor of Montgomery county to make annually, a lot book showing in abstract form, all legal subdivisions which have been or which may hereafter made of all property in Montgomery county, and the name of the person, firm, or corporation to whom each lot or subdivision is assessed, for the current year; and to provide compensation therefor.

H. J. R. 362. Relating to the enforcement of section 3239 of the revised statutes of the United States.

H. 1220. To amend section two (2) and three (3) of an act entitled "An act to amend sections 897 and 911 of chapter 19, article 1, of the Code of Alabama, approved March 6, 1907.

H. 984. To fix the salary of the judge and the associate judge of the city court of Montgomery.

H. 1343. To authorize the railroad commission of Alabama to modify or change any rule or regulation prescribed by statute relating to demurrage or car service and charges therefor and respective rights, duties and obligations of common carriers by rail and shippers and consignees with respect to furnishing empty cars and the transportation and delivery of freight and delay in the loading and unloading of cars and receiving of freight and charges therefor.

H. 628. To amend sections one (1) and four (4) of an act entitled an act to amend sections 1116 (1547), 1117 (1548), 1118 (1549), 1119 (1550) and 1120 (1551) of the Code of Alabama of 1896, approved February 28th, 1903.

H. 1370. To provide a commission to investigate the charges made against the management of the insane hospitals, to prescribe its powers and duties, and to pay the per diem, mileage and expenses thereof.

H. 856. To fix the compensation of the assistant clerk in the office of the commissioner of agriculture and industries and make appropriations therefor.

H. 949. To create a text book commission and to procure for use in the public schools of this State a uni-

I suggest the following amendment to said bill:

Amend Sec. 4 by adding to the end thereof the following words: "And not exceeding two dollars and a half per day for actual expenses."

B. B. Comer, Governor.

HOUSE AND GOVERNOR'S MESSAGE.

On motion of Mr. Moody, the Senate concurred in and adopted the amendment proposed by the governor to House bill No. 1370, the title to which is set out in the foregoing message from the House, and said amendment is contained in the above and foregoing message from the governor.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Merritt	Reid
Bayles	Hayes	Miller	Strother
Davis	Hinson	Moody	Teasley
Doster	King	McWhorter	Thomas
Gardner	Lusk	Overton	Wilson
Gunn			

—21.

Which was a majority of the whole number elected to the Senate.

RECESS.

The hour of six o'clock having arrived, the Senate took a recess until eight-thirty p. m.

NIGHT SESSION.

Wednesday, August 7, 1907.

The Senate reassembled at 8:30 o'clock p. m.

ROLL CALL.

Upon the call of the roll, a quorum of the Senate was present.

BILLS ON THIRD READING.

The bill:

H. 1000. To repeal an act entitled, "An act to regulate the payment of claims against the fine and forfeiture fund of Morgan county, Alabama, approved February 15th, 1897.

Was read a third time, at length, and passed.

Yeas, 30; nays, 0.

Yeas:

Messrs:

Barbour	Hamner	Lowe	Reid
Bayles	Hayes	Merritt	Reynolds
Davis	Heacock	Miller	Strother
Doster	Hinson	Moody	Teasley
Forrester	Horton	McWhorter	White
Gardner	Jones	Overton	Wilson
Glenn	King	Reese	Wimberly
Gunn	Leith		

—30.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has received the accompanying message from his excellency, the governor, proposing an amendment to H. B. 1249:

H. 1249. To regulate the fees of the sheriffs for feeding prisoners confined in jail under charge or conviction of any indictable offense.

And the House has concurred in and adopted the amendment proposed by the governor by a majority of the whole House; the vote on said amendment being: Yeas, 61; nays, 1.

And sends the same herewith to the Senate for its consideration.

Cyrus B. Brown,
Clerk.

MESSAGE FROM THE GOVERNOR.

To the House of Representatives:

I herewith return H. B. 1249, entitled "An act to regulate the fees of sheriffs for feeding prisoners confined

in jail under charge or conviction of any indictable offense, and to provide the payment therefor."

I suggest the following amendments to said bill, viz.: strike out section one of said bill and insert in lieu thereof the following:

Section 1. Be it enacted by the Legislature of Alabama, That the sheriffs shall receive for feeding prisoners in jail under charge or conviction of any indictable offense, to be paid by the State, according to the following scale, viz.: When the number of prisoners does not exceed five, for each prisoner forty cents per day; when the number of prisoners exceeds five and does not exceed ten, for each prisoner thirty-seven and one-half cents per day; when the number of prisoners exceeds ten and does not exceed twenty, for each prisoner thirty-five cents per day; when the number of prisoners exceeds twenty for each prisoner thirty cents per day.

B. B. Comer, Governor.

HOUSE AND GOVERNOR'S MESSAGE.

On motion of Mr. Teasley, the Senate concurred in and adopted the amendment proposed by the governor to House bill No. 1249, the title of which appears in the foregoing message from the House, and the proposed amendment thereto appears in the foregoing message from the governor.

Yeas, 26; nays, 2.

Yeas:

Messrs:

Barbour	Hayes	Merritt	Reynolds
Davis	Heacock	Moody	Strother
Doster	Hinson	McWhorter	Teasley
Gardner	Jones	Overton	Thomas
Glenn	King	Reese	White
Gunn	Leith	Reid	Wilson
Hamner	Lusk		

—26.

Nays: Messrs. Bayles, Miller—2.

PROTEST.

Mr. Miller offered the following protest and moved that the same be spread upon the journal.

Which motion prevailed.

Whereas, House bill No. 936 entitled "A bill to be entitled an act to propose an amendment to the Constitution of the State of Alabama, for the purpose of providing for the formation and establishing of new counties out of portions of one, two or more counties as may be desired," was read in the Senate for the first time on the 29th day of July, 1907, and referred to the committee on County and County Boundaries. And whereas, on the 2nd day of August, 1907, said bill was returned to the Senate without said committee having acted thereon, with the statement that action by the committee on the bill was unnecessary and with a request that the bill be read a second time, thereupon the undersigned protested against the second reading of said bill without it having been first considered by such standing committee in session and returned from such committee, with the action of the committee endorsed thereon, and notwithstanding such objection and protest and notwithstanding the fact herein before enumerated, the presiding officer ordered said bill to a second reading and directed the secretary of the Senate to read said bill for a second time and place it upon the calendar for a third reading on to-morrow. And whereas, rule 23 of this Senate requires that "Every bill shall receive three readings previous to its being passed; and that the President shall give notice at each whether it be the first, second or third, which readings shall be on three different days. And no bill shall become a law until it shall have been referred to a standing committee, acted upon by such committee in session, and returned therefrom, which fact shall affirmatively appear upon the journal of the Senate, and upon its final passage read at length, and the vote taken by yeas and nays, and the names of the Senators voting for and against the bill be entered on the journal." And whereas, rule 49 of this Senate requires that "All bills acted upon by a com-

mittee shall be endorsed as follows: "This bill was acted upon by the committee on_____ in session and (here insert the action of the committee)," and said endorsement shall be dated and signed by the chairman or acting chairman of the committee." And whereas, said bill was never considered by said committee, which fact was stated to the Senate before said bill received its second reading;

Wherefore, the undersigned do hereby protest against said second reading of said bill and ordering it to be placed upon the calendar for passage on to-morrow without it having been first considered and reported by a standing committee, as is required by the Constitution of the State of Alabama and by the rules of this Senate. Aug. 7, '07.

Nathan L. Miller,
 Senator 13th District.
 Frank S. Moody,
 Senator of 11th District.
 W. W. Barbour,
 29 Dist.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker of the House having signed the following House bills your signature thereto is requested:

H. 1327. To amend Sec. 1, 2, 3 of an act entitled an act to provide a new charter for the town of Cordova, Walker county, Alabama, approved Dec. 13, 1900.

H. 558. To regulate the employment of child labor in certain mills, factories and manufacturing establishments in this State, and to provide for the inspection of the rooms, places and premises wherein they are worked and to adequately punish violations of this act.

H. 1249. To regulate the fees of sheriffs for feeding prisoners confined in jail under charge or conviction of any indictable offense, and to provide the payment therefor.

H. 1370.. To provide a commission to investigate the charges made against the management of the insane hos-

pitals; to prescribe its powers and duties and to pay the per diem, mileage and expenses thereof.

H. 1000. To repeal an act entitled an act to regulate the payment of claims against the fine and forfeiture fund of Morgan county, Alabama, approved February 15th, 1897.

Cyrus B. Brown,
Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read at length by the secretary, signed the above House bills, the titles of which are set out in the foregoing message from the House, the reading at length of said bills having been dispensed with, by a two-thirds vote of a quorum of the Senate present.

COMMUNICATION FROM THE GOVERNOR.

The following communication was received from the governor, read to the Senate and ordered spread at length upon the journal:

Executive Department, Alabama.

To the Senate:

Since the first meeting of the present Legislature, I have received uniform and continuous courtesy and consideration: For this I thank you all.

A good work has been accomplished for the people of Alabama; the rich and the poor have been treated with equal favor; and all the people of the State should appreciate your unselfish labors. You have stood for equal rights to all men, special privileges to none. You have made special interests conform to the principles of common right and have provided that all men shall obey the law. The democratic platform has been enacted into statute; it is now and henceforth must be the will of the people.

Shall Alabama continue as a sovereign State? Shall its laws be respected and obeyed? For the enforcement

of the law, civil and criminal, I am solemnly pledged to the people. I will faithfully and honestly execute the same.

When you go to your homes, remember that the struggle for equal rights has just begun; the laws you have enacted must yet be recognized by all and enforced without fear or favor. "The battle is not to the strong alone, but to the vigilant, the active, the brave."

With thanks again, and best wishes for your safe return to your homes and for your future welfare, I am sincerely yours.

B. B. Comer,
Governor.

REVISION OF THE JOURNAL.

Mr. Leith, from the committee on Revision of the Journal, made the following report, which was adopted:
Mr. President:

The committee on the Revision of the Senate Journal respectfully report that they in session had examined the Senate journal for the fiftieth legislative day and find the same correct.

M. L. Leith,
Chairman.

FINAL ADJOURNMENT.

There being no further business to come before the Senate, the President of the Senate declared that by constitutional limitation, the Senate of Alabama stands adjourned sine die.

Henry B. Gray,
President of the Senate.

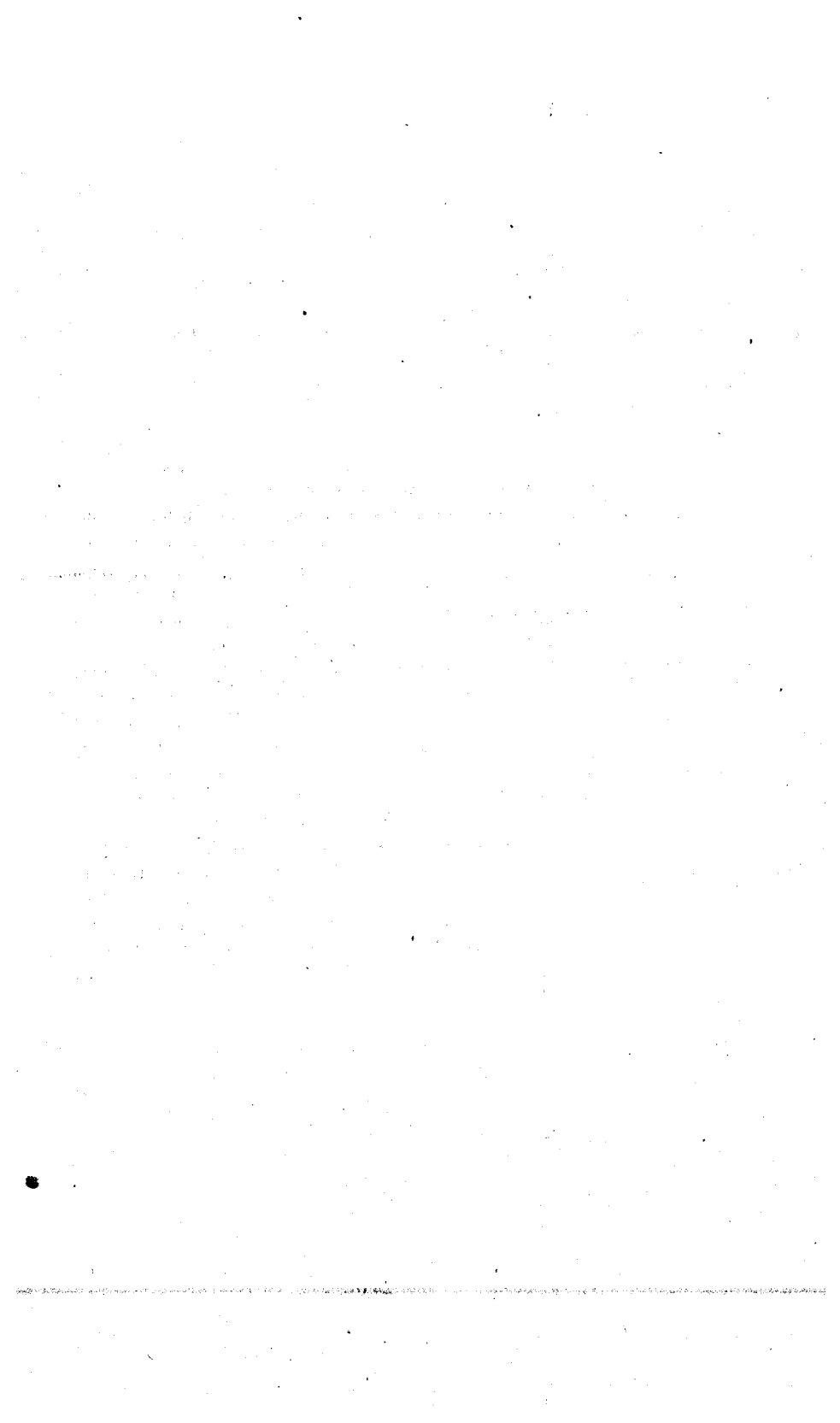
Attest:

Jas. A. Kyle,
Secretary of the Senate.

ERRATA.

PAGE.

- 268—S. 124, *section* 4538 should be *Sep.* 4583.
736—S. 234 should be S. 284.
880—H. 312 should be H. 512.
1462—H. 160 should be H. 610.
1587—Bill to appropriate the sum of, etc., is S. 394.
1626—S. 454, Fix time of payment of poll tax, omitted.
1626—S. 454 should be S. 455.
1744—S. 498 should be S. 496.
1750—S. 379 should be S. 397.
1935—S. 233 should be S. 223.
2015—S. 547 should be S. 574.
2415—H. 985, in first line, *Walter Carter Company* should be *Walter Cotter Company*.
2426—*Montgomery County* should be *Tallapoosa County*.
2698—H. 637 should be H. 636.
2799—S. 471 should be S. 571.
2892—H. 989 should be H. 988.
2904—H. 1376, in 3rd line, *Hale* should be *Henry*.
Omission of name of Joseph F. Johnston after eleventh line on page 2985.



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Public schools, for support and maintenance of, H. 24, p.
 226, 843, 931, 938, 992, 1256; Do., S. 68, p. 139.

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 officers, H. 732, p. 1294, 1398, 1497, 1517.

To be used by oyster commission in spreading shells, S. 380,
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To defray expenses of erecting statue to Hon. John Tyler
 Morgan, in Statuary Hall, S. 578 1-2, p. 1846, 2015,
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To Plantersville High School, at Plantersville, H. 427, p.
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To common schools of State, S. 14, p. 73.

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ARCHIVES AND HISTORY, DEPARTMENT OF—

Enlarge the duties of, H. 240, p. 1137, 1156, 1419, 1439.

Publication of official records and historical material, H. 1186,
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ATTORNEYS—

Unlawful to practice as, without license, H. 714, p. 2517.

ATTORNEY GENERAL—

Provide for contingent expenses of, S. 481, p. 1663, 2016, 2510.

AUTOMOBILES—

Regulate the running of, on public highways, S. 150, p. 222, 670, 1130, 2959, 2980; Do. amend act, S. 563, p. 1823, 2795.

BALDWIN COUNTY—

Allow Manager of Park Hotel, at Montrose, to sell beer, H. 1293, p. 2409, 2578, 2736, 2791, 2829.

Authorize commissioners to convey buildings and grounds at Daphne, to trustees of a Normal school to be established, H. 238, p. 1290, 1355, 1408, 1439; Do. S. 352, p. 1031-4.

Confirm lease of N. E. quarter of Sec. 16, of T. 5, south, of R. 2 east, by the board of education of, H. 593, p. 2782, 2890, 2987, 3034.

Establish Normal school for teachers, at Daphne, H. 237, p. 1185, 1248, 1254, 1407, 1433, 1483; Do. S. 351, p. 1031-4, 1153.

Prohibit sale of liquors within 5 miles of Foley, H. 566, p. 1305, 1350, 1496, 1516.

Protect and regulate the time and manner of catching fish in, to amend act, H. 972, p. 2332; Do. S. 476, p. 1642.

Require commissioners to let road and bridge contracts to lowest bidder, after notice by publication, H. 1292, p. 2308, 2381, 2540, 2605.

BANKING—

To provide for regulation of business of, amend act, S. 283, p. 651, 877, 1087.

BANKHEAD, J. H.—

Elected United States Senator, 1943.

BAR—

To regulate admission to, S. 204, p. 307.

BATTLE OF TOHOPEKA—

Provide for celebration of 100th anniversary, H. 1179, p. 2345, 2460, 2761, 2829.

BARBOUR COUNTY—

- Dispensary, to authorize Eufaula to establish, S. 36, p. 82, 224, 289, 488, 612.
- Establish a branch of circuit court for, H. 888, p. 1892, 2015, 2364, 2433.
- Prohibit sale of liquor near Mt. Zion church, amend act, H. 885, p. 2145, 2385, 2565, 2603.
- Sale of liquor in precinct five, to prohibit, S. 37, p. 83, 224, 289, 488, 612.

BIBB—

- Amend Sec. 7, of act amending, to regulate trial of misdemeanors in, S. 327, p. 917, 1031-8, 1098, 1761, 1891; Do. H. 825, p. 1314.
- Blocton public school district, amend act establishing, S. 185, p. 282, 469, 716, 1279.
- Change and define the boundary line of, H. 449, p. 681, 1156, 1322, 1370, 1405.
- Dispensaries, provide for auditing, S. 634, p. 2453, 2701, 2835.
- Fix time of holding circuit court in, H. 787, p. 1308, 1354, 1483.
- Further prescribe the official duties of deputy solicitors, H. 890, p. 2036, 2104, 2672, 2710.
- Prohibit the operation of traction engines on public roads of, H. 889, p. 2204, 2370, 2542; Do. S. 421, p. 1612, 1748, 1898, 2621, 2626.
- Provide for the election of commissioners for, H. 891, p. 2163, 2372, 2537, 2621.
- Public roads, further regulate working of, H. 892, p. 2192, 2368; Do. S. 420, p. 1609, 1751, 1899, 2469, 2627.
- Regulate costs in criminal cases in circuit court of, H. 74, p. 594, 878, 967, 993.
- Regulate fees of justices of the peace and constables in, S. 325, p. 914.
- Repeal act, to amend Sec. 4630 of Code, as relates to beats 10 and 11 in, S. 326, p. 916, 1851, 1993, 2716, 2790.
- Violations of prohibition law, to regulate trials in, H. 76, p. 348, 877, 948, 994, 1031-14.
- West Blocton, as to boundary line of, amend act, S. 184, p. 281, 336, 372, 768, 830.

BIRDS—(See *Game laws*.)

BLOUNT COUNTY—

Authorize commissioners to levy tax for working public roads, to repeal act amending, H. 78, p. 349, 469, 821, 855.

Provide a better system of public roads, H. 79, p. 511, 847, 1025, 1031-10, 1192.

Regulate the sale of liquor in Blount Springs district, to repeal act, H. 1091, p. 2309, 2891.

Repeal act constituting Blountsville a separate school district, S. 258, p. 562, 652, 955, 1857, 1891.

Require one round to be made by assessor and collector of, H. 1089, p. 2179, 2372, 2566, 2602.

BODIES, HUMAN—

To legalize the dissection of, H. 461, p. 1763, 1855.

BOARD OF CONVICT INSPECTORS—(See *Convicts*.)

BOARD OF REVENUE—

Allow to purchase blood hounds, H. 820, p. 2159, 2372.

Authorized to levy special tax for working public roads, S. 307, p. 835, 925.

Authorize to transfer to the road fund any surplus of general funds, H. 715, p. 997, 1250, 1493, 1519.

Authorized to build court house, H. 36, p. 477.

Authorized to adjust certain claims, S. 254, p. 562; Do. H. 39, p. 857, 923, 1431, 1483.

Authorize to refund taxes erroneously collected, to amend act, H. 1120, p. 2390.

Authorize to appropriate money for improving streets, S. 628, p. 2449, 2697.

Confirm acts of, in allowing fees to sheriffs, S. 601, p. 2007.

Further prescribe the powers of, S. 431, p. 1615.

BONDS—

Contracts of surety, etc., made by foreign corporations, to be governed by State laws, S. 51, p. 90, 170, 1246.

Dispensation of proceeds of, given by railroads to have annulled rates established for transportation of freight, S. 242, p. 458, 881, 1091, 1031-16.

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Define liability on surety, etc., in certain cases, S. 147, p. 216, 1247.

State officers, to provide for making of, S. 313, p. 836; Do. H. 907, p. 1876, 1930, 2569, 2622.

Status of surety, guarantee or indemnity, to regulate, S. 60, p. 94, 190, 1246.

BOUNDARIES—

Ascertain and establish disputed, H. 441, p. 1365, 1472.

BRIDGES—(See *Public Roads and Bridges.*)

BRIBES—

Define and punish offense of giving and receiving, S. 438, p. 1617, 1755.

BUCKET SHOPS—

To prohibit, S. 24, p. 78.

BULLOCK COUNTY—

Allow fees to sheriff for attendance upon trial of *habeas corpus* cases, H. 1268, p. 2336, 2369, 2667, 2709.

Amend act, to create separate school district in Midway, H. 425, p. 896, 924, 1031-46.

Provide for more efficient working of public roads, to repeal act, S. 521, p. 1715; Do. H. 1190, p. 2215, 2374, 2545, 2622.

Provide for the election of county superintendent of education, to repeal act, H. 895, p. 2201, 2375, 2666, 2875.

Provide for payment by commissioners for removal of persons charged with misdemeanors, H. 1267, p. 2242, 2374, 2546, 2605.

Repeal act, to prohibit sale of liquor in precinct 8, H. 350, p. 387, 738, 945, 991; Do. H. 448, p. 888, 937, 1031-49, 1040.

Sheriff shall receive for empaneling juries, such sum as may be allowed by commissioners, H. 1191, p. 2305, 2379, 2545, 2604, 2741.

BUTLER COUNTY—

Authorize commissioners to employ janitor for, S. 585, p. 1923, 2018, 2362; Do. 1296, p. 2345, 2373, 3017, 3037.

Authorize commissioners to contract for telephones, etc., S. 588, p. 1926, 2019, 2363; H. 1298, p. 2303, 2381, 2568, 2604.

Fix compensation to be allowed clerk of circuit court, S. 586, p. 1924; Do. H. 1299, p. 2305, 2380.

Fix compensation to be allowed sheriff of, S. 584, p. 1922; Do. 587, p. 1925; Do. H. 1297, p. 2285, 2373; Do. H. 1295, p. 2297, 2381.

Repeal act, to authorize commissioners to establish stock districts, S. 415, p. 1616, 1750, 1898, 2621, 2625.

Stock districts, commissioners to order elections for establishment of, H. 896, p. 2200, 2375, 2568, 2602.

To establish a dispensary in the town of Georgiana, S. 29, p. 80, 249, 291.

CALCIUM CYANAMID—

To encourage the manufacture of, S. 537, p. 1729, 1850, 2693; Do. H. 1130, p. 2036, 2109, 2111, 2509, 2571.

CAPITAL PUNISHMENT—

To abolish, S. 636, p. 2575.

CAPITOL, STATE—

Provide for re-furnishing and keeping in repair, S. 614, p. 2097, 2457; Do. H. 1359, p. 2504, 2576, 2990, 3035.

CALHOUN COUNTY—

Authorize the establishment of a dispensary at Oxford, H. 452, p. 554, 757, 957, 1004.

Change the boundary line between Etowah and, H. 1044, p. 2211, 2374, 2558, 2404, 2900, 2977.

Change the boundary line between Cleburne and, H. 897, p. 1893, 1933, 2089, 2349.

Constitute Anniston a separate school district, amend act, H. 1046, p. 2072, 2104, 2534, 2572, 2605.

Court of county commissioners, to repeal act approved Dec. 13, 1900, as to, H. 277, p. 346.

CALHOUN COUNTY—*Continued.*

- Make officers of city court of Anniston elective, S. 266, p. 609, 843, 951, 1759, 1760.
- Provide purchase of surveyor's transits for, S. 249, p. 164, 844, 958, 1499, 1521.
- Provide for payment of salary of judge of city court of Anniston, H. 847, p. 1788, 2018, 2356, 2432.
- Re-arrange boundaries of town of Oxford, H. 278, p. 623, 846, 1321, 1405.
- Regulate the practice in the circuit court, to amend act, H. 1386, p. 2687, 2696, 2977.
- Regulate the practice in the circuit court of, S. 342, p. 979, 1031-7, 1096, 1500, 1523.
- Require tax assessor and collector to visit voting places once a year, H. 1095, p. 2184, 2377, 2552, 2605.
- To declare the powers and jurisdiction of city court of Anniston, to amend act, S. 341, p. 974, 1031-7, 1095, 1500, 1523.

CARMICHAEL, A. H.—

- Elected Speaker of the House, 1504.

CHAMBERS COUNTY—

- Authorize board of education to establish high school, H. 1344, p. 2682, 2696, 2937, 2976.

CHARTERS—(See *Cities and Towns.*)

CHEROKEE COUNTY—

- Prohibit the manufacture of malt liquor in, H. 1100, p. 2281, 2382, 2540, 2602.

CHILDREN—

- Define who are delinquent, and provide for their care, H. 30, p. 484, 986.
- Define who are delinquent, as to Dallas county, S. 448, p. 1623, 1743, 1919, 2797, 2828.
- Define who are delinquent, to repeal act, S. 566, p. 1824.
- Indigent, to provide with text-books, S. 30, p. 80, 285, 911, 997, 1255, 1419, 1462, 1514, 1543.

CHILDREN—*Continued.*

- Provide for attendance on public schools, S. 90, p. 163, 285, 327, 567.
- Provide for protection, etc., of, under 14 years of age, S. 309, p. 835, 881, 1320.
- Provide for taking census of school, S. 314, p. 837, 986, 1328, 2968, 3024.
- Provide penalty for fraudulent enumeration of, S. 65, p. 139, 285, 1086.
- Regulate rate of transmission of school, on street railways, S. 468, p. 1635.
- To educate on the evils of intemperance, H. 320, p. 2731, 2796.

CHILTON COUNTY—

- Change boundary line between Etowah and, H. 765, p. 1186.
- Establish a dispensary for Clanton, H. 574, p. 1198, 1252, 1382, 1406.
- Provide for discontinuing dispensary at Clanton, H. 1098, p. 2181, 2464, 2632, 2711.
- Prohibit the sale of wine in Thorsby, H. 898, p. 2416, 2461, 2640, 2711.

CHOCTAW COUNTY—

- Confer additional jurisdiction upon county court of, H. 83, p. 532, 652, 695, 856.
- Constitute a board of jury commissioners for, S. 85, p. 1031-26, 1117, 1189, 1316.
- Fine and forfeiture fund of, as to, H. 84, p. 287, 337, 371, 403.
- Legalize acts of commissioners court, S. 543, p. 1740, 1851, 1983, 2429, 2477.

CITIES AND TOWNS—

- Allowed to issue bonds to pay indebtedness, H. 1378, p. 2682, 2701, 3002, 3034.
- Authorize to create the office of recorder, S. 246, p. 460; Do. S. 271, p. 611.
- Authorize to make improvements on streets, etc., S. 265, p. 608.
- Authorize to provide for drainage by sanitary and storm water sewers, etc., S. 272, p. 611, 667, 1099, 1401, 1524.

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Authorizing the issue of bonds for public improvements, amend act, S. 274, p. 611, 668, 2879.

Authorize to hire persons convicted of violating ordinances, S. 348, p. 982, 1250.

Authorize to operate water works system, H. 543, p. 1007, 2454.

Authorize to make improvements on sidewalks, etc., H. 372, p. 1031-17, 1039, 1142; Do. H. 1198, p. 2132, 2695, 2996, 3035.

Authorize to levy license tax on business, trades, etc., H. 835, p. 1366, 1399, 1493, 1518.

Authorize mayor's court to assess same fine as circuit courts, for carrying concealed weapons, S. 463, p. 1623.

Authorize to contract for care of cemeteries, S. 487, p. 1669, 1749, 2510, 2870, 2910.

Authorize to compel the construction of, bridges across railroad tracks, H. 1133, p. 2663, 2796, 2998, 3019, 3036.

Confer on operating dispensaries, right to give counties part of net profits, S. 435, p. 1516, 1755, 1902, 2955, 3031.

Confer upon mayors, power to remove police officers, S. 457, p. 1624; Do. S. 462, p. 1628.

Establish police commissioners in, S. 372, p. 1117, 1253, 1327, 1364, 1385, 1436, 1031-17, 1538, 1546.

Exempt members of volunteer fire companies from military and jury duty, S. 377, p. 1245, 1354, 1497.

Empower to purchase and operate water works, H. 182, p. 2629, 2695, 2857, 2872, 2906.

Fix charges, rates, etc., of telephone lines, S. 114, p. 177.

Fix salaries of officers of, H. 491, p. 997, 1251, 1470, 1506, 1516, 1541, 1544, 1549.

Further regulate elections in, H. 490, p. 995, 1246.

Further regulate, confer additional rights, etc., S. 284, p. 666, 736, 747, 986, 988, 1180, 1205.

Grant power to dispose of revenue from dispensaries, S. 329, p. 919, 1035, 1176, 1499, 1522.

Prevent the erection of buildings upon streets of, S. 227, p. 357, 669, 936, 1180, 1870.

Provide for the classification of, S. 198, p. 306.

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- Provide for the incorporation, organization, etc., of, S. 287, p. 731; Do. S. 509, p. 1705, 1855, 1869, 1996, 2434, 2472, 2790, 3007, 3014.
- Provide means for extension of limits of, H. 34, p. 937, 1042, 1155, 1319, 2701, 2848, 2872, 2907.
- Provide for annexation and merger of, H. 35, p. 937, 1155, 2850, 2872, 2908.
- Provide for extension of corporate limits, S. 358, p. 1031-4, 1154, 1255, 1337, 1538, 1546.
- Refunding of bonded indebtedness, amend act, S. 533, p. 1729.
- Regulate the administration of affairs of, H. 930, p. 2213, 2698, 2834, 2907.
- Settlement of bonded indebtedness of, H. 1150, p. 1934, 2109, 2561, 2622; Do. amend act, S. 610, p. 2009, 2463.
- To extend their incorporate limits, S. 627, p. 2366, 2463, 2855.
- To alter or re-arrange their boundary lines, H. 931, p. 2663, 2701, 2836, 2908.
- Validate loans evidenced by rates and mortgages, made by any city or town, S. 519, p. 1714, 1849, 1978, 2971, 3031.
- Which have not exercised the functions of, to declare charters forfeited, S. 535, p. 1729.

CIGARETTES—

- To prohibit the selling of, S. 64, p. 139.

CLARKE—

- Amend act, to incorporate town of Jackson, H. 630, p. 1312, 1353, 1496, 1517.
- Commissioners to appropriate money from general fund to pay witnesses, H. 86, p. 573, 618, 695, 855.
- Confer jurisdiction of all misdemeanor cases on county court of, S. 128, p. 202, 268, 291, 989, 1271, 1373, 1031-33, 1518, 1545.
- Establish Grove Hill school district, amend act, S. 517, p. 1712.
- Extend the corporate limits of Jackson, S. 77, p. 142.
- Establish separate school district in, amend act, H. 1099, p. 2180, 2372, 2555, 2605.
- Provide for the payment of jurors in, H. 862, p. 2064, 2104, 2554, 2602.

CLAY COUNTY—

- Charter for Lineville, amend act, to establish, S. 264, p. 607, 843, 1023, 1501, 1522.
- Commissioners to pay annually on claims for public roads, S. 403, p. 1599; Do. H. 901, p. 2039, 2104, 2566, 2622.
- County court of, amend act, to establish, H. 900, p. 399, 2454, 2763, 2791, 2876.
- Establish charter for Ashland, amend act, H. 639, p. 1172, 1251, 1383, 1439.
- Payment of certain claims, from general fund of, H. 595, p. 895, 984.
- Stock running at large in, amend act, H. 631, p. 884, 984, 1141, 1194.
- Validate claims against, for work, etc., furnished, S. 404, p. 1599; Do. 899, p. 2037, 2104, 2565, 2603.

CLEBURNE COUNTY—

- Change boundary line between Calhoun and, H. 897, p. 1895, 1933, 2089, 2349.
- Fix boundary line between Randolph and, S. 397, p. 1589, 1750, 1897, 2515, 2519.
- To abolish the county court of, H. 521, p. 675, 848, 954, 1004.

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- Manuscript of new, as to reading, etc., S. 210, p. 321, 358, 422, 769, 829, 1548; Do. amended, S. 382, p. 1349, 1695.
- Provide for publication and distribution of, acts and, H. 940, p. 1952, 2010, 2353, 2546.
- Article 1. Chapter 19, amend Secs. 897, 900, 905, 906, 907, 908 and 911, S. 69, p. 140, 876, 926, 1147, 1477.
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- Commissioners to pay for advertising local bills introduced H. 1234, p. 2590, 2696, 2840, 2903.
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- Prohibit the sale of liquor in, H. 360, p. 1792, 2014, 2938, 2960, 3032.
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- Create the office of jury commissioner for, H. 1068, p. 2062.
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- Establish Oxmoor school district, repeal act, H. 1135, p. 2262, 2373, 2645, 2708.
- Establish a board of revenue for, amend act, S. 629, p. 2449, 2577, 2744, 2955, 3030.
- Establish inferior court in precinct 45, H. 1242, p. 2596, 2697, 2938, 2977.
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- Fix time for election of solicitor for, H. 1218, p. 2292, 2369, 2543, 2602.
- Further regulate city court of, H. 540, p. 800, 985, 1120, 1031-58
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Survey, analysis and classification, S. 222, p. 335, 668; H. 421, p. 1857, 1933, 2846, 2872, 2906.

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On certificate of board of examiners to restore pensioners, S. 570, p. 1841, 2109, 2769, 2972, 3031.

ST. CLAIR COUNTY—

Detach precinct 9, from Southern Div. and attach to Northern, H. 774, p. 1779, 1849, 1983, 2028.

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Establish a dispensary in Ragland, repeal act, H. 1016., p. 2170, 2382, 2554, 2605.

Provide for holding circuit court in, H. 49, p. 473, 847, 957, 991.

Provide for maintenance of road and bridges, H. 338, p. 542, 847, 961, 1004.

Provide for holding county court at Ashville and Pell City, H. 262, p. 761, 879, 959, 993.

~~Provide for holding regular, special and adjourned terms of~~ commissioner's court at Pell City, H. 263, p. 796, 878, 962, 993.

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Establishment of, for State funds, H. 167, p. 995, 1031-6,
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Created, to provide for revenue, H. 769, p. 1294, 1354, 1416,
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Authorize commissioners to employ detectives, H. 1061, p.
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Establishing normal school at Livingston, amend act, S. 229,
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For the relief of C. D. Horn, H. 1055, p. 2214, 2386, 2678, •
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Prohibit the sale of liquor, etc., H. 1059, p. 2187, 2383, 2679,
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SUMTER COUNTY—*Continued.*

State Normal school, at Livingston, amend act, H. 523, p. 763, 873, 956, 1031-13.

To regulate the trial of misdemeanors in, amend act, H. 1062, p. 2038, 2104, 2648, 2708.

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Empower to give certificate of proficiency and license to teach, S. 623, p. 2101, 2465, 2837.

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Prevent the removal of, from cotton bales, H. 271, p. 1857, 2020, 2867, 2907.

Thirty per cent of guano tax, appropriated to schools, S. 144, p. 215.

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Appropriation for Fourth District Agricultural school, at Sylacauga, S. 394, p. 1587.

City court, amend act, to establish, H. 51, p. 484, 1038, 1143.

Elections as to issuance of road bonds, S. 393, p. 1584, 1751, 1986; Do. H. 1018, p. 2142, 2379, 2550, 2605.

Macadam, chert, etc., roads, to construct, S. 392, p. 1581, 1752, 1909; Do. H. 1017, p. 2139, 2378, 2552, 2666.

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Police power and jurisdiction of Sylacauga, to extend, H. 761, p. 1209, 1753, 2087, 2349.

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- Reduce and fix rate of, S. 408, p. 1602; Do. S. 430, p. 1614;
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- Establish at University of Alabama, summer school for,
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- Examination of applicants for second grade certificates, H.
368, p. 2825, 2890.
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- Payment of money due dead, provide for, S. 243, p. 459.
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- Uniform system for examination and licensing of, amend
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- Fix time of transmission of, S. 454, p. 1626.
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S. 459, p. 1627; Do. S. 455, p. 1626, 1744, 2001.
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- Regulate delivery of messages, S. 167, p. 265.

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- Create commission, and secure uniform series of, H. 949, p.
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Abolish fine and forfeiture fund of, H. 419, p. 766, 880, 966, 990.

Cities and towns to operate dispensaries, to authorize, H. 567, p. 1824, 2012, 2360, 2798, 2910.

County law and equity court, amend act, to establish, H. 766, p. 1777, 1854, 2000, 2027; Do. H. 767, p. 1368, 1399, 1492, 1518.

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UNITED STATES—

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Confer equity jurisdiction upon circuit court, S. 512, p. 1708, 1849, 1990, 2598, 2728.

Create office of county auditor, H. 420, p. 803, 877, 964, 1031-13.

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Fix time of holding circuit court in, S. 484, p. 1668, 1748, 1913, 2434, 2477.

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- Make legal, claims issued to State witnesses, by clerk of circuit court, S. 261, p. 606, 843, 1031-56, 1500, 1522.
- Make legal, warrants issued to probate judge and sheriff, H. 678, p. 1299, 1399, 1498, 1517.
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- Prohibit sale of liquor near Corona Church, H. 868, p. 2210, 2464, 2754, 2791, 2829.
- Provide for maintaining roads and bridges in, H. 1308, p. 2315, 2380, 2649, 2713.
- Regulate hunting in enclosed field, H. 235, p. 2146, 2700, 2834, 2907.
- Regulate compensation to be paid teachers in public schools, H. 874, p. 2294, 2378, 2521.
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- For storage of cotton, to define and regulate, S. 154, p. 223, 250, 332, 339, 375, 1438, 1520.

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- Authorize Haleyville to establish a dispensary, H. 709, p. 1166, 1252, 1383, 1439.
- Board of revenue, to establish, S. 120, p. 199, 249, 293.
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- Detach from Northwestern chancery division, S. 260, p. 605, 1748, 1903, 2515, 2519.
- Fix compensation of jurors in circuit court of, H. 1041, p. 2249.
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- Prohibit sale of liquor near Mt. Zion church, amend act, H. 530, p. 802, 987, 1039, 1031-55.
- To increase number of jurors in, repeal act, H. 1043, p. 2165, 2372, 2678, 2711; Do. H. 1042, p. 2166, 2372, 2560, 2603.

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- To allow wife to testify as, in certain cases, S. 248, p. 464.
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- Unlawful to set fire to grass, forest or, S. 452, p. 1626, 2019.

